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Senate

The Senate met at 9:33 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

The PRESIDENT pro tempore. Today's prayer will be offered by His Holiness the Dalai Lama.

PRAYER

His Holiness the Dalai Lama offered the following prayer:

Firstly, as usual, I am a Buddhist monk—a simple Buddhist monk—so we pray to Buddha and all other Gods.

With our thoughts we make our world. Our mind is central and precedes our deeds. Speak or act with a pure mind, and happiness will follow you like a shadow that never leaves.

May there be joy in the world, with bountiful harvest and spiritual wealth. May every good fortune come to be, and may all our wishes be fulfilled. As long as space remains, and as long as sentient beings remain, until then, may I too remain and help dispel the misery of the world.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

WELCOMING HIS HOLINESS THE DALAI LAMA

Mr. REID. Mr. President, it is my pleasure to welcome to the Senate his Holiness the 14th Dalai Lama. I know I speak for the entire Senate family when I express our gratitude for the prayer to open the Senate and his words of encouragement and his blessing.

His Holiness the Dalai Lama is well known throughout the world as the spiritual leader of the Tibetan people and for spreading the gospel of peace, compassion, and love to our fellow human beings. But it is the tradition when the Senate welcomes a guest Chaplain to say a few words about the honored guest.

My friendship with His Holiness has roots from a good man from California by the name of Richard Blum who has done more, in my opinion, to help the Tibetan people and His Holiness than anyone else. His Holiness often says that he is only a simple monk born to a farming family in northeastern Tibet.

To millions of people in Tibet and across the globe, he is much more. He is a source of hope and inspiration in a world that can sometimes seem very dark. When he was only 2 years old, His Holiness was recognized as the reincarnation of the 13th Dalai Lama. Four years later, when he was a little boy, he began his monastic education. He studied logic, art, Tibetan culture, and Buddhist philosophy, among many other things.

At age 23 he passed his exam with honors and was awarded what would be an equivalent of a Ph.D., a doctorate of Buddhist philosophy. For more than half a century, the Dalai Lama has been traveling the world raising awareness about the concerns of 6 million fellow Tibetans—as he would say: Making new friends around the world.

In Tibetan Buddhist philosophy, the Dalai Lamas, all of them, are enlightened beings who have postponed their own nirvana, or liberation from the cycle of reincarnation, in order to serve humanity. This particular enlightened being has chosen to serve humanity by spreading a message of peace.

He motivates countless people around the world, people of every faith, to practice compassion toward one another. His Holiness urges us all: "Be

kind whenever possible. It is always possible." The Dalai Lama's teachings contain lessons from people around the world and certainly within this Chamber. His Holiness also advises us: "The best way to resolve any problem in the human world is for all sides to sit down and talk." Pretty simple, but very true. It is advice that those of us fortunate enough to serve our country and our constituents in the Senate should take to heart and follow.

The presence of His Holiness in this Chamber today inspires me as I hope it does all of us to renew our commitment to speak and act with a pure mind and to help dispel the misery of the world.

CHILD CARE AND DEVELOPMENT BLOCK GRANT ACT OF 2014—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to Calendar No. 309, S. 1086.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1086) to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

SCHEDULE

Mr. REID. Following my remarks and those of the Republican leader, the Senate will be in a period of morning business until 10:30, with Republicans controlling the first half and the majority the final half. Following morning business, the Senate will proceed to executive session. At 11:20, there will be up to three rollcall votes on executive nominations. Following those votes, there will be 2 hours of debate on the military sexual assault bills. At about 2 p.m., there will be a series of rollcall votes in relation to the military sexual assault bills. We also expect to consider additional executive nominations which may require votes later in the day.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Vermont.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Mr. LEAHY. I ask unanimous consent to be able to continue as in morning business for about 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

WELCOMING THE DALAI LAMA

Mr. LEAHY. Mr. President, I feel honored to be a Member of the Senate and to be President pro tempore. But I cannot think of any greater honor than this morning, when I was able to introduce to the Senate an old and dear friend, His Holiness the Dalai Lama. Marcelle and I have been friends of His Holiness for decades. We count that as a great treasure, as does Senator FEINSTEIN, whom I saw earlier on the floor, another long-time friend of His Holiness, along with her husband.

I have watched him for so many years in his representation of the Tibetan people. He is joined on the floor by another Buddhist, Senator HIRONO of Hawaii. The gracious comments of Senator REID reflect how people feel about him. I think of the faith of his people and how they are moved. I told his Holiness of this story when I walked through the streets of Lhasa, Tibet, years ago, and a man holding a small child saw me and pointed to my camera and held up a picture of His Holiness.

He was risking being imprisoned for having that. But he insisted I take his picture. I did. I have given that photograph to His Holiness. I told him the story, that when we asked the man why he risked prison to show the picture of His Holiness, he said: Because people have to know. The world has to know the great faith of the Tibetan people longing for the autonomy they deserve to practice their faith.

Fortunately, they have as a symbol of that faith the Dalai Lama, a Nobel Peace Prize recipient, a man who touches everybody's conscience. He touches this Catholic every time I see him. It goes beyond whatever faith you are. He is a gift to the world. I am so honored to have been able to introduce him here today.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Mr. President, with His Holiness here in the Senate Chamber, there are a number of Senators who would like to say hello to him. So based on that, I ask unanimous consent that the Senate recess subject to the call of the Chair.

There being no objection, the Senate, at 9:44 a.m., recessed until 9:46 a.m. and reassembled when called to order by the Presiding Officer.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. The majority leader.

Mr. REID. Would the Chair announce the business of the day.

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

UNANIMOUS CONSENT AGREE- MENT—EXECUTIVE NOMINA- TIONS

Mr. REID. I ask unanimous consent that following action on S. 1917, the Senate proceed to executive session to consider the following nominations: Nos. 504, 513, 640, and 547; that the Senate proceed to vote on confirmation of the nominations in the order listed; that there be 2 minutes for debate prior to each vote, equally divided in the usual form, and that the votes be 10 minutes in length; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLOOD INSURANCE AND VETERANS MEDICAL CLINICS

Mr. VITTER. I rise to talk about two very important issues for the country and for Louisiana. The first is fixing the national flood insurance system, getting it right. The good news is I think we are well on a path to doing that effectively. The second is veterans medical clinics, two of which are in Louisiana. They have been held up for completely bureaucratic reasons and aren't moving forward as they need to serve the veterans in Lafayette and Lake Charles, LA, and in about 25 other locations around the country.

First, flood insurance. Only a couple of days ago the House passed by a huge margin, over 300 votes, a strong bill to permanently fix the National Flood Insurance Program. Those aspects of the so-called Biggert-Waters act passed over 1 year ago but are unworkable, clearly creating problems on the ground.

This is great news, because unless we fix those very real problems, we would have major problems on our hands in the National Flood Insurance Program,

not only in Louisiana, not only in Florida, and not only in the Superstorm Sandy area, but in every State in the country—every State. It is not a question of if these issues are coming to your State, it is a question of when and exactly to what extent.

Over 1 year ago, we passed the Biggert-Waters act. That was an important reauthorization of the National Flood Insurance Program. It also included reforms, and many of those reforms needed to happen to stabilize the financing of the program.

What no one understood adequately then, however, is that those well-intended reforms, in practice, in implementation by FEMA, would lead to unsustainable, completely unaffordable rate increases in a significant number of cases.

That only began to be understood in the months after the bill was passed as FEMA started to implement it, as FEMA came to homeowners, came to State authorities, came to Members of Congress, and began to lay out some of the rates we would see in certain areas.

I am not talking about modest rate increases. We need modest rate increases to stabilize the financing of the program. I am talking about completely unaffordable rate increases in some cases—flood insurance rates going from \$300 a year to \$11,000 a year or \$19,000 a year or \$26,000 a year on a modest middle-class home and on a middle-class family that followed the rules every step of the way. We can't allow that to stand.

First, it is fundamentally unfair. As I said, these middle-class families followed the rules every step of the way. They built to the right elevation when they built their homes, never let their premiums lapse, and never let their insurance lapse.

In that context, for them to be hit with truly unaffordable rate increases—increases that could literally cause them to have to walk away from their home in some significant number of cases and not be able to afford to stay there—is just plain wrong.

Secondly, it is completely counterproductive, because one of the ways we have stabilized the National Flood Insurance Program fiscally is to grow the program, to have more folks paying premiums, and to have more folks covered, not fewer. This aspect of Biggert-Waters, which would lead to truly unaffordable rate increases in a significant number of cases, is unworkable from the very vantage point of the goal of Biggert-Waters to stabilize the system. So we can't let that stand for that reason either.

The good news is, because of those very real problems, both the Senate, and now the House, have come together in a major bipartisan way to fix the issue. The Senate acted about 1 month ago passing meaningful legislation. I was an original coauthor and a strong supporter. As I said a few minutes ago, the House acted two nights ago—Mardi Gras night in Louisiana terms—to take strong action to fix this program.

The House bill is stronger and more significant in several respects, mostly because the reforms in the House bill are permanent. It is not a timeout, as the Senate bill was. It is a permanent fix that creates a much higher degree of certainty and permanence immediately.

Also, the House bill is fully paid for with a modest premium increase on everybody's premiums—very modest, completely affordable—to make sure that all of these changes are paid for. Because of these aspects of the House bill, because of the permanent nature of the fix, the fact that we create certainty and predictability immediately moving forward for homeowners and real estate markets is actually the preferable approach.

I urge all of us in the Senate to take up that bill at the soonest possible moment. Specifically, I urge the distinguished majority leader to put it on the floor, to create time on the floor, so we can deal with the House bill absolutely as soon as possible.

I know there will be some attempt to obtain unanimous consent to pass the House bill immediately. Of course, I will consent; I am all for that. But, realistically, I don't think that is going to happen on the Senate floor. The Senate bill had some objectors, the Senate bill had some opponents, and so does the House bill.

Realistically, I urge the majority leader to create the time on the Senate floor to take this up and move through the process absolutely as quickly and as expeditiously as possible. That is the way it is actually going to work and that is the way it is actually going to happen.

I hope we can do that as early as next week. I strongly support our consideration of this bill on the Senate floor as early as next week.

The second national and Louisiana issue I want to discuss has to do with veterans and veterans' health care, which we have been talking about on the Senate floor for some time, specifically the need to move forward with 27 fully approved, fully authorized, VA community-based clinics that have been stalled because of bureaucratic problems. Again, these clinics are around the country: two in Louisiana, one in Lafayette, one in Lake Charles. These clinics have been approved by the VA and have been in their plan for some time. They are fully authorized. We thought they were fully paid for until, first, the VA made some bureaucratic mistakes to delay the Lake Charles and Lafayette clinics in particular; and then, out of the blue, the CBO changed the way they score all of these clinics, all of these issues, and created another bureaucratic hurdle.

Again, the good news is we came together in a bipartisan way and have a solution to those purely bureaucratic hurdles so that all of these clinics can move forward expeditiously. The House specifically passed a bill that would take care of these bureaucratic hur-

dles. They passed it on the consent calendar by a whopping bipartisan margin.

So I come to the floor urging all of us to do the same. Specifically, I have an amendment to the bill that also makes it even more fiscally sustainable by having a pay-for for any conceivable cost to this bill, and that is what my amendment would do.

This VA clinic legislation was in the Sanders veterans bill last week and it was in the Burr alternative. It was in both the Democratic and the Republican veterans packages. Neither of those packages passed. The Sanders bill was defeated on a budget point of order, which I supported because I don't think it is properly paid for and is sustainable both in terms of our budget and, even more important for veterans, how the veterans system works and handles its current patient load. The Burr bill never even got a vote.

We have disagreements about those larger packages. Those are real, substantial disagreements, but in the midst of that I would hope we can agree to what we can agree on, and these VA clinics certainly fall into that category. We have cleared all objections to this VA clinic piece specifically. We have addressed all issues having to do with these VA clinics, in part through my amendment at the desk. The only possible objection I know of is the fact that a larger package is not passing.

I understand there are big arguments about that larger package. Those are legitimate differences of opinion. I don't think that should stand in the way of our agreeing to what we can agree to and moving forward with an important piece of the puzzle for veterans health care—these 27 community-based clinics around the country.

In that spirit I will be asking for a unanimous consent agreement whereby we would take up the House-passed bill. Again, this House-passed bill was actually on the consent calendar, passed with a whopping bipartisan majority. We would adopt my amendment at the desk, which addresses some fiscal concerns with the bill, and we would then pass it through the process. This would be our coming together and agreeing to what we can agree on. That is what the American people want us to do as we work on all other aspects of health care and veterans' benefits covered by both the Burr and the Sanders bill debated last week.

UNANIMOUS CONSENT REQUEST—H.R. 3521

I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3521, which was received from the House; that my amendment, which is at the desk, be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be laid upon the table.

THE PRESIDING OFFICER. Is there objection?

Mr. SANDERS. Reserving the right to object.

THE PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I thank very much my colleague from Louisiana for bringing forth this very important issue. Senator MARY LANDRIEU from Louisiana has also raised this issue, as have many colleagues.

My friend from Louisiana is absolutely right; this is an important issue and this is an issue that should be passed. But I would say to my friend from Louisiana that last week we brought forth the most comprehensive piece of veterans legislation in the modern history of the United States of America, and that legislation dealt with many issues raised by veterans organizations that represent millions of men and women who have put their lives on the line to defend our country.

Let me very briefly—very briefly—touch on some of those issues included in this comprehensive piece of legislation that lacked three votes. We had 56 votes. One Senator was absent and would have voted, so we need three votes to pass this. This would have addressed some of the serious problems in the claims backlog that my friend from Louisiana is more than familiar with. It would have addressed the crisis of advanced appropriations to make sure if there is ever again another government shutdown that no veteran—disabled veteran and no veteran who is on a pension—would fail to get their check.

This legislation also included an enormously important provision expanding the caregivers program, so wives and sisters and brothers taking care of disabled vets finally get the attention they deserve.

That legislation would have addressed a terrible problem facing some 2,300 families, where men and women who were injured in Iraq and Afghanistan and can no longer have babies receive help through in vitro fertilization or other processes or adoption, if they want the help, in order to have families.

The legislation also addressed the very serious problem that many of our young men and women are not getting the education they need because States are not allowing them to get instate tuition.

That legislation addressed many other crises, which is why that legislation had the support of the American Legion, Veterans of Foreign Wars, the Disabled American Veterans, the Vietnam Veterans of America, the Iraq and Afghanistan Veterans of America, and in fact virtually every veterans organization in the country.

So let me say this to my friend from Louisiana, and I say this sincerely. What I will not do is dismember this piece of legislation. What I will do is work with my colleague and other Republicans who voted against this comprehensive piece of veterans legislation so we can bring to the floor a bill that reflects the needs of millions and millions of veterans who are hurting.

I look forward to working with my colleague from Louisiana on a comprehensive bill, but at this point I object to his proposal.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Mr. President, reclaiming the floor and my time.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. I find that very regretful. Of course I will continue to work with the Senator from Vermont. Of course I will continue to work on that larger package, which I have been actively involved in for some time. I will continue that. But basically the Senator from Vermont is holding a very tiny piece of this hostage—a tiny piece that will have no impact whether it is in or out in terms of passage of that broader bill.

What is happening is we have a piece that on its substance, on the substance of the clinics themselves, no one objects to; a piece that passed the House by a huge overwhelmingly bipartisan majority. Yet it is not going to pass here today or perhaps anytime soon because it is held hostage over larger fights.

I will continue to work on that broader veterans piece. I support a broader veterans bill, if it is styled the right way and if it is fiscally responsible. I support the Burr alternative. I will continue to look for common ground between that Burr alternative and the Sanders bill. But whether this clinic piece is in or out of that discussion will have zero impact on passing that piece. I honestly think it will have zero impact.

I find it very unfortunate we can't get this done in the meantime; that what my colleague considers the perfect is now the enemy of the very good, and we can't serve veterans by coming together on what we do agree on and acting in the meantime.

With that, I urge my distinguished colleague from Vermont to reconsider over time, as we work on this larger veterans bill, because we could pass this today. The House would pass the slightly modified version immediately, and we would be moving on with 27 community-based clinics around the country which veterans in all of those communities desperately need.

Additionally, I wish to thank Senator INHOFE for his active cooperation in moving these clinics forward.

Mr. President, my good friend, the senior Senator from Oklahoma, is in support of vital legislation that recently passed the House of Representatives, H.R. 3521 the Department of Veterans Affairs Major Medical Facility Lease Authorization Act of 2013. The legislation authorizes 27 Department of Veterans Affairs clinics across this country including much needed clinics in Lafayette and Lake Charles, LA.

Mr. INHOFE. I agree with my good friend from Louisiana that this legislation, H.R. 3521, is critical to providing the best treatment for our country's

veterans, and I believe that it is the government's duty to honor the promises made to our veterans. In Oklahoma, roughly 340,000 veterans call our State home, attend our churches, and contribute to our communities. On behalf of Oklahoma, we are humbled by the immeasurable dedication of each and every one of them.

Therefore, this legislation also authorizes funds for an improved Veterans Affairs Outpatient Clinic in Tulsa, OK. The current building lacks the space to care adequately for the large number of veterans that receive their medical treatment at the facility. Due to the size of the facility, services such as the Behavioral Health services are located several miles away. Lastly, the parking lot capacity is not acceptable. This bill will improve this clinic to include primary care, women's health, imaging, specialty care, physical therapy, audiology, optometry, mental health, prosthetics, dentistry, and a pharmacy.

Mr. VITTER. Yes, it is absolutely critical for Louisiana veterans as well that both of the clinics in Lafayette and Lake Charles are authorized and finally built. To clarify, both of the Louisiana clinics are not new projects. They would actually be nearing completion, but because of bureaucratic mistakes committed by the Department of Veterans Affairs, they have faced significant delays. Two years ago, due to an unexpected change by the Congressional Budget Office—CBO—in how it estimates the cost of VA clinics, these two vital clinics were then stripped out of a VA authorization bill. Veterans in Louisiana have waited long enough. It is time for the United States Senate to act. This legislation makes it so veterans are not forced to drive a 100 miles to receive much needed services.

Mr. INHOFE. With the passage of this bill, there will be funding to improve and expand our VA clinics in 19 States across the United States, including Louisiana and Oklahoma. The facilities would then be able to provide the services that were promised to our men and women that were willing to make the personal sacrifices necessary to serve in the defense of our country. Many of our veterans have paid the price with scars, some visible while yet many go unseen such as post-traumatic stress disorder—PTSD, depression, and traumatic brain injuries—TBI. I urge our colleagues to remember that it is our Nation's duty to care for them in return.

Mr. VITTER. This legislation makes important reforms to the VA leasing process taking into account CBO concerns, and it has received vast bipartisan support in the House passing 346-1. I urge my colleagues to provide the same support for our veterans in the Senate and pass this legislation now by unanimous consent.

With that, I yield floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me reiterate my hope that the Senator from Louisiana will in fact work with us. It is my intention to see this bill gets to the floor again before Memorial Day. I think we owe it to the men and women who have put their lives on the line to defend this country to address their serious needs.

The issue of these 27 medical facilities is one of those needs, but there are many more, and I look forward to working with the Senator from Louisiana and other Senators to do what the veterans communities want us to do and to go forward on what will be the most significant piece of legislation to take care of the needs of our veterans passed in several decades.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I ask unanimous consent to speak for up to 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THUNE. Mr. President, I, too, want to lend my voice—after listening to the discussion that just occurred on the floor—because I don't think there is any group of Americans who are more deserving of our support than the men and women who have worn the uniform of this country and so bravely and courageously defended America's freedom and our democracy. I hope, such as my colleagues who spoke just a minute ago, we can come to an agreement that would allow us to do the things on which we agree.

There are so many things on which we agree—I think 80 percent of the debate last week between what the Senator from Vermont proposed and the Senator from North Carolina proposed were the same—that we ought to be able at least to do those we agree on and address some of the very vital and urgent needs our veterans community has. So I would lend my voice to supporting efforts to get things moving.

There is a bill that has come over from the House of Representatives that addresses many of these issues, not as comprehensively as was proposed last week by the Senator from Vermont and the Senator from North Carolina. Obviously, we have some issues that need to be addressed that will support and help those Americans who have borne the cost of battle for our country and defended America's freedoms, but we should work together to find that agreement and to move legislation forward that would address those needs.

THE BUDGET

Mr. President, I come to the floor, however, to talk about the pain that ObamaCare and the Obama economy are causing Americans.

CBS News/New York Times released a new poll last week finding there is widespread dissatisfaction with President Obama: 59 percent of the American people are disappointed in the President's Presidency, the poll found, while 63 percent think the country is on the wrong track.

Just 38 percent of the people in this country approve of the President's handling of the economy, and 39 percent approve of his handling of foreign policy.

When it comes to the President's signature law, ObamaCare, just 6 percent—6 percent—of the American people think the law is working well. A whopping 92 percent support changing the health care law or repealing it altogether.

In similar news, Gallup reported last month that its Economic Confidence Index was negative for every single State. In other words, the majority of Americans in every State have a generally negative view of the economy. Only in DC—in the District of Columbia, home of too many disconnected Democratic politicians—did Gallup find a net positive view of the economy.

Needless to say, the American people are, to put it mildly, dissatisfied. Why are they dissatisfied? Because they spent 5 years waiting for the relief they were promised and it hasn't arrived.

A Pew Research Center poll in September found that 63 percent of the American people believe the Nation's economic system is no more secure today than it was before the 2008 market crash. The same poll also found the majority of Americans report household incomes and the job situation have hardly recovered at all from the recession. President Obama may have inherited a difficult economic situation, but he has had 5 years to make it better. Instead, he is making things worse.

Over the past 5 years household income has declined by \$3,600. Income inequality is at its highest point literally since the Great Depression. The number of Americans receiving food stamps has soared from over 32 million to now more than 47 million—almost 48 million Americans receiving food stamps. That means that one in five—literally one in five—American households is on food stamps. Ten million Americans are unemployed, almost 4 million of them for more than 6 months, and the labor force participation rate is at Jimmy Carter-era lows, thanks in part to literally thousands of Americans who have simply given up hope of ever finding a job and dropped out of the labor force altogether.

Then there is the President's health care law. The President promises a health care law with lower costs while allowing you to keep the plan and the doctor you like. In reality health care costs have skyrocketed and Americans have been losing their doctors and their health care plans in droves. Seniors are being hit hard by cuts in the Medicare Advantage Program and lower income seniors are being hit the hardest. Meanwhile, businesses are struggling with the law's burdensome taxes and regulations, while workers struggle with reduced hours and fewer opportunities.

A recent report from the Congressional Budget Office found that the

President's health care law will reduce the number of full-time workers by up to 2.5 million over the next 10 years. Then there is last week's report from the Centers for Medicare & Medicaid Services that found that 11 million small businesses are going to see workers have their premiums increased as a result of ObamaCare.

Yesterday, in an attempt to improve the Democrats' steadily worsening election prospects in November, the administration announced yet another—another—ObamaCare delay for selecting health plans, as well as a pardon for the administration's union friends. It is no wonder Americans are so unhappy.

Despite the abundance of evidence that their policies have failed, the Democrats and the President continue to dismiss Americans' stories. In fact, the Senate majority leader had the gall the other day to get up on the floor of the Senate and say every single ObamaCare horror story is untrue. That is right. Instead of looking at the overwhelming evidence that ObamaCare just isn't working, and maybe rethinking his support of that law, the majority leader decided to accuse every single American who has had a bad experience with ObamaCare of lying about his or her story. Now that is a lot of denial right there.

They say the definition of insanity is doing the same thing over and over and hoping for a different result. Yet that is exactly what the Democrats and President are doing. Instead of looking at the evidence of the past 5 years and rethinking their policies, Democrats are piling on more of the same. For Americans hurting for jobs and opportunities, Democrats have recently taken to advocating a hike in the minimum wage—a policy, I might add, that the Congressional Budget Office said would result in up to 1 million fewer jobs and a policy that would hit the lowest income workers the hardest.

Then there is the President's budget. The President's budget proposal would have been a great opportunity for the President to rethink some of these failed strategies of the past 5 years and to focus on controlling spending and promoting economic growth. Instead the President produced a political document that panders to the far leftwing of his party and eschews any type of meaningful reform.

His budget won't control spending. Instead, it increases spending by 63 percent over the next 10 years and it adds another \$8.3 trillion to our \$17 trillion debt. To pay for some of that spending, the administration is proposing even more tax increases, over \$1 trillion worth of new tax increases on top of the \$1.7 trillion in tax increases the President has already gotten since he came to office.

The administration has even backed away from changes to our broken entitlement programs, such as gradually raising the eligibility age for Medicare, which would have helped put the Medi-

care Program on a stronger financial footing going forward.

And as for balancing the budget, well, that is a fantasy. The President's budget doesn't even pretend to balance. With 2 years left in his Presidency, it appears the President has given up on governing and resigned himself to playing election year politics. His lame-duck budget will further grow the Federal Government while the middle class continues to shrink.

If the President and Democrats really want to help Americans the way they claim, there are real steps they could take right now to start turning our economy around and putting Americans back to work. Instead of a job-killing minimum wage hike, they could support initiatives to reduce the cost of hiring and give businesses incentives to hire workers. Instead of perpetually extending unemployment benefits, they could support legislation, such as a bill I introduced to provide relocation resources to allow the long-term unemployed to move to areas where the job market is stronger, and strengthen Federal worker training programs. This would help give the unemployed what they really want—not months of meager government benefits but steady, good-paying jobs with the potential for growth.

Speaking of jobs, if the President wanted to create jobs immediately, he could easily do that today with a stroke of the pen that he talks about: Approve the bipartisan Keystone Pipeline and the 42,000-plus jobs it would support. All it would take is a stroke of the pen he keeps talking about.

Then there is trade promotion authority. The President did talk about trade promotion authority in his State of the Union Address, but he abandoned it shortly afterwards as a result of some Democrats' political concerns about pushing the policy in an election year. Trade promotion authority would help farmers, ranchers, entrepreneurs, and job creators gain access to 1 billion new consumers around the globe. If the President were serious about creating jobs for Americans, he would be urging the majority leader to take up this bipartisan legislation today.

Finally, the President should be supporting bipartisan efforts to repeal the costly medical device tax in his health care law, the tax on pacemakers and insulin pumps. According to a recent study, more than 30,000 jobs in the medical device industry have been affected by this burdensome provision in the law. If this tax isn't eliminated soon, even more jobs in the industry are going to be lost or sent overseas.

It is not surprising that the American people are unhappy. ObamaCare and the Obama economy have done nothing to ease the struggles Americans have faced since the recession, and instead of proposing new initiatives, the Democrats and the President continue to push for more of the same, and to double down on the same failed policies.

Well, 5 years is long enough. It is time for Democrats to abandon their failed economic experiments and to work with Republicans to pass legislation that will actually create jobs and opportunities and put Americans back to work. We can do that. We can do that today. The President can pick up the phone he talks about and call the majority leader. Ask him to bring up any one of these initiatives I have mentioned on which there is broad bipartisan support: the Keystone Pipeline, trade promotion authority—initiatives that would grow jobs—repealing the medical device tax. There were 79 votes in the Senate on amendments to the budget last year in support of appealing that onerous tax.

There are things we can do together, that we can do today to create jobs and grow and expand this economy, lower the cost of hiring people in this country, so we can get more Americans back to work with good-paying jobs that will help lift them higher in their economic circumstances and give them a better and a brighter future. I hope that is what the President will choose to do rather than following through on so many of these election year ploys, if you will, that are simply designed to help win elections come election day rather than doing something that is meaningful to help middle-class families and the American people.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BOOKER). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF ROSE EILENE GOTTEMOELLER TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Rose Eilene Gottmoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security.

The PRESIDING OFFICER. Under the previous order, the time until 11:20 a.m. will be equally divided between the majority leader and the Republican leader or their designees.

The Senator from New Jersey.

Mr. MENENDEZ. It is always good to see my distinguished colleague from New Jersey presiding before the Senate.

I come to the floor to support the nomination of Rose Gottmoeller for Under Secretary of State for Arms Control and International Security. She has been the Acting Under Secretary since February 2012. It has been 2 years now.

She is a distinguished public servant who over her long career has played a vital role in addressing the critical proliferation challenges the United States faces. In my mind, it would be difficult to find a person more appropriate to take on the variety of new and old proliferation threats we face.

Rose Gottmoeller was the chief U.S. negotiator of the New Strategic Arms Reduction Treaty with the Russian Federation. During the Clinton administration she served in the Department of Energy overseeing its nuclear proliferation portfolio. During the critical period of 1993 to 1994, she was at the National Security Council overseeing the denuclearization of Ukraine, Kazakhstan, and Belarus—a topic of some importance given the current crisis in the Ukraine.

As we consider this nomination, it is worthwhile reviewing the array of issues and nonproliferation threats we face.

In Syria, we are facing ridding the regime of its chemical weapons arsenal, seeking to keep the pressure on Assad to fulfill his commitments and verify that Syria is in full compliance with provisions to destroy its chemical weapons production, mixing, and filling. The United States, along with the rest of the international community, is engaged in the complex process to transport and safely destroy Syria's chemical weapons stockpile.

Second, on the issue of Iran's nuclear program, we are entering a critical stage in negotiations. As I noted in remarks on the floor last month, we must, in my view, maintain the pressure on Iran to dismantle its nuclear weapons program. As part of our negotiations, we must insist on the most stringent measures to verify whether Iran is in compliance with agreements it has signed. We need to ensure that any final deal that might be signed can be precisely monitored, providing us a warning signal at the first hint that Iran is seeking to achieve nuclear breakout.

Third, in terms of North Korea, the United States has stated that we will not accept North Korea as a nuclear weapons state, which would potentially unleash an arms race in the region and threaten our security and the security of our allies.

Fourth, we have to maintain and sharpen our efforts to prevent terrorists from getting their hands on and/or using nuclear, chemical, or biological weapons.

Finally, despite all of our recent difficulties with Russia, it is vital that we

continue to implement and verify the arms control treaties we have with them, particularly the New START treaty. These treaties are not something we do as a favor to Russia; they are a vital measure for limiting the potential dangerous nuclear escalation that might occur in a crisis.

For all of these reasons and many others, we need to confirm the nomination of Rose Gottmoeller so she can fully assume her new responsibilities as Under Secretary of State for Arms Control and International Security. She has all the authority necessary to represent U.S. security interests in the international community.

Having said that, I know there are differences within the Senate about the question as to how we should approach nonproliferation issues, but regardless of those differences, I believe there are a number of issues on which we can all agree.

We can all agree that we face a new and more complex set of proliferation threats—the threat of terrorists getting their hands on nuclear, chemical, or biological weapons, the danger of regional armed nuclear adversaries, such as North Korea and Iran, using their nuclear capabilities to blackmail our partners and allies.

In response to these threats, we all agree we need a more modern and flexible nuclear enterprise and updated policies that can respond to these new threats as well as the old threats we face. I hope we can agree that we need to confirm this nominee to be in a position with authority to help update and implement those policies with the full authority of the position.

What I would say to the Senate is that at the end of the day there are some who may disagree on verification and compliance procedures or on the nature of the modernization of our program, but we cannot disagree on the significance of the threats we face and the need to have a team in place tasked with representing our security interests at the highest national level.

This is not a time to say no to confirming a qualified, experienced nonproliferation expert when so much is at stake in Syria, North Korea, and Iran, and negotiations with Russia—not when we imagine the consequences of what the spread of these weapons can bring. I urge my colleagues to confirm this nominee in the national security interest of the United States and look forward to a strong support of her nomination.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHANNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHANNIS. Mr. President, I ask unanimous consent to speak up to 7 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JIM YOUNG

Mr. JOHANNES. Mr. President, I rise today with a heavy heart that I pay tribute to the life and legacy of a friend, Jim Young. Jim passed away on February 15 after a courageous battle with pancreatic cancer. My thoughts and prayers are with his wife Shirley, his children, and his grandchildren during a very difficult time.

Even as we mourn his passing, though, we celebrate his deep love for his family, his tremendous commitment to his community, and his impressive example of leadership. Jim's family, friends, coworkers, and admirers from across Nebraska and our great Nation are mourning the loss of a life defined by great service and great leadership. It is my privilege today on the floor of the Senate to honor his legacy.

Jim knew the importance of hard work and commitment to purpose. That is how he climbed the ladder of success to become the president and chief executive officer and, later, chairman of the board of Union Pacific Corporation.

Jimmy's integrity was unquestioned. He loved his work. He carried his enthusiasm beyond UP as he led the American Association of Railroads and other professional organizations.

Jimmy's leadership spurred impressive reinvestment and growth in the railroad, but many would say his true accomplishment was his focus on a positive work environment and taking care of his coworkers. His concern for their well-being was genuine, and they knew it.

It would be difficult to categorize Jimmy's greatest contributions because beyond his tremendous impact on UP and the rail industry, Jim did everything. He loved our great State. He loved his hometown of Omaha. He set a shining example of what it means to give back to the community.

The list of boards on which he served and organizations for which he volunteered could literally fill a book. From the Greater Omaha Chamber of Commerce to the Joslyn Art Museum, from the University of Nebraska to the Salvation Army, Jimmy's commitment to serving and to improving the lives of others is just simply unmatched.

He did not take for granted his success, and he dedicated time and attention to assisting those who had less—those with fewer resources. Evidence of his generosity can be found in all corners of the community. It would range from the Jim and Shirley Young Scholarship Program at Jimmy's alma mater, the University of Nebraska at Omaha, to his involvement in the Knights of Ak-Sar-Ben and his service as a church elder and a youth sports coach.

I am so confident I speak for all Nebraskans when I say we have lost a great leader and a community partner. I feel as though I have lost a friend.

Jim gave of himself in all he did. From the boardroom to the ballfield, his presence is going to be so missed.

It is my sincere hope that Jimmy's wife Shirley, his children and his grandchildren, find comfort knowing that so many lives were made better because of his efforts.

Jim leaves a vibrant legacy of leading by example, inspiring others by believing in every single person's potential, and of dedicating both time and treasure to opening doors of opportunity for those who just needed a champion. It would be difficult to imagine a more meaningful life legacy.

Mr. President, I thank the Chair. I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time has expired.

The question is, Will the Senate advise and consent to the nomination of Rose Eilene Gottenmoeller, of Virginia, to be Under Secretary of State for Arms Control and International Security?

Mr. BARRASSO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 58, nays 42, as follows:

[Rollcall Vote No. 58 Ex.]

YEAS—58

Alexander	Gillibrand	Murphy
Baldwin	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Hirono	Reed
Booker	Isakson	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Landrieu	Shaheen
Casey	Leahy	Stabenow
Collins	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Corker	Markey	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Flake	Mikulski	
Franken	Murkowski	

NAYS—42

Ayotte	Graham	Paul
Barrasso	Grassley	Portman
Blunt	Hatch	Risch
Boozman	Heitkamp	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Tester
Cornyn	Kirk	Thune
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Enzi	McConnell	Walsh
Fischer	Moran	Wicker

The nomination was confirmed.

NOMINATION OF SUZANNE ELEANOR SPAULDING TO BE UNDER SECRETARY, DEPARTMENT OF HOMELAND SECURITY

The PRESIDING OFFICER. Under the previous order, the clerk will report the Spaulding nomination.

The bill clerk read the nomination of Suzanne Eleanor Spaulding, of Virginia, to be Under Secretary, Department of Homeland Security.

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate equally divided.

Mr. REID. I yield back the remainder of our time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Suzanne Eleanor Spaulding, of Virginia, to be Under Secretary, Department of Homeland Security?

The nomination was confirmed.

NOMINATION OF JOHN ROTH TO BE INSPECTOR GENERAL, DEPARTMENT OF HOMELAND SECURITY

The PRESIDING OFFICER. Under the previous order, the clerk will report the Roth nomination.

The bill clerk read the nomination of John Roth, of Michigan, to be Inspector General, Department of Homeland Security.

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate equally divided.

Mr. REID. I yield back the remainder of our time.

The PRESIDING OFFICER. Without objection, there is no further debate.

The question is, Will the Senate advise and consent to the nomination of John Roth, of Michigan, to be Inspector General, Department of Homeland Security?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MILITARY JUSTICE IMPROVEMENT ACT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 1752, which the clerk will report.

The bill clerk read as follows:

A bill (S. 1752) to reform procedures for determinations to proceed to trial by court-martial for certain offenses of the Uniform Code of Military Justice, and for other purposes.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent that the order with respect to the consideration of S. 1752 and S. 1917 be modified so the debate time is equally divided between Senators MCCASKILL and GILLIBRAND or their designees, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1752, a bill to reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice, and for other purposes.

Harry Reid, Kirsten E. Gillibrand, Barbara Boxer, John D. Rockefeller IV, Tammy Baldwin, Benjamin L. Cardin, Patrick J. Leahy, Debbie Stabenow, Richard Blumenthal, Christopher A. Coons, Claire McCaskill, Jon Tester, Mark Begich, Barbara Mikulski, Maria Cantwell, Charles E. Schumer, Dianne Feinstein.

Mr. REID. Mr. President, when American men and women decide to defend our freedoms as members of the U.S. Armed Forces, they do so with full knowledge that they could make the ultimate sacrifice—the ultimate sacrifice—on behalf of our country. These are very courageous men and women. While we can't protect every member of our military from harm at the hands of America's enemies, we should at least guarantee them protection from harm at the hands of their fellow servicemembers.

The need to address the problem of sexual assault is not lost on the military officers and officials with whom I have met. They acknowledge there is a problem. I believe they are working in good faith to fix it.

The vast majority of U.S. military personnel are appalled by sexual assault in their ranks, as are their commanders. I applaud their dedication to this Nation and their fellow servicemembers. I applaud the action of those who have zero tolerance for these crimes, but I am convinced that Congress must act aggressively to eliminate a military culture that not only allows sexual assault to happen but too often punishes the victims when it does.

We have already taken some action to combat the sexual assault in the Defense authorization bill. I am pleased today we will vote on two proposals for further action.

Congress cannot stand idly by while the blight of sexual assault continues. Every military leader has the responsibility to take a stand with us for a zero

tolerance approach to military sexual assault, to stand by the victims of sexual assault, and to stand with the good men and women they command.

The PRESIDING OFFICER (Ms. BALDWIN). The majority leader.

Mr. REID. We are going to have two votes at 2 o'clock. I ask unanimous consent that the additional time until 2 p.m. be equally divided and controlled.

The PRESIDING OFFICER. Without objection.

The Senator from New York.

Mrs. GILLIBRAND. I rise today to speak about the need to strengthen our military and stand by our brave men and women in uniform by passing the bipartisan Military Justice Improvement Act.

I start by thanking all of my colleagues on both sides of the aisle for the seriousness with which they have approached this issue and the effort they have put into looking at the solution survivors of sexual assault in the military are asking for. I specifically thank my friends from Missouri and New Hampshire for their determination and leadership in fighting for victims of sexual assaults in our military. I look forward to voting for their bill on the floor today.

I defer the colloquy to Senator INHOFE.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, when the majority leader said 1 minute ago that Congress cannot idly stand by and not do anything, I have to remind him that we have been doing so for quite some time. We have been working on the problem of sexual assault, and the reality is that Congress has been aggressive in instituting reforms to tackle sexual assault in the military since the fiscal year 2009 Defense Authorization Act. We have enacted 47 provisions, either directly addressing sexual assault or instituting reforms to the Uniform Code of Military Justice that will improve efforts to address allegations of misconduct.

These reforms have strengthened the protections and the care of the victims while preserving the rights of the accused. These historic reforms are vital to ensuring a sound, effective, and fair military justice system.

I look at the bill we are considering that will be coming up in a short while. The bill would modify the court-martial convening authority in a way that I believe creates very serious procedural problems.

In a January 28, 2014, letter to the Department, it cited—and I am going to cite some very technical problems:

Potentially irreconcilable and could result in long delays from bringing some cases to trial and, if a conviction ultimately results, could produce still more years of appellant litigation, perhaps ultimately culminating in the conviction's reversal.

To make matters even worse, the bill includes a requirement that the new military judge advocate billets re-

quired to perform these duties must be taken from existing billets. This is what we have been fighting and arguing about, the problems that we are having now in the overall military. No billet growth is authorized in this, so it will have to come from existing billets.

I received a personal letter from the Judge Advocate General of the Army, General Darpino.

He said:

The bill would not be cost neutral. According to initial estimates, the Army would require an additional 50 judge advocate colonels along with the increase of about 200 judge advocates of other ranks and about 150 legal support staff.

That is a quote. She went on to say:

... this is happening at a time when the services are attempting to reduce their personnel costs to accommodate shrinking budgets. And that is just the impact in the Army. On November 18, 2013, the Department of Defense provided an assessment of the devastating impact of the Gillibrand bill. The Defense office of Cost Assessment and Program Evaluation estimate a total cost of over \$113 million per year—

That is every year—

to implement her bill in the Army, Navy, Air Force and Marines. Not only is her bill not executable in a cost-neutral basis, it is not possible to grow the total inventory of nearly 600 judge advocate officers and legal assistants required by the bill within the 180 days of enactment. The decision we make today will have significant consequences for the future of our military. More specifically, the bill we are debating this week threatens to tear apart what I strongly believe is the fabric of our Armed Forces: the chain of command.

I can't find people I can confide in and talk to personally, who have been in the military, who don't agree with this. I was in the Uniform Code of Military Justice when I was in the U.S. Army—not at the level of some of the Senators who have been there more recently, such as Senator GRAHAM, for example, and at a higher level. I was an enlisted man. But I was a reporter, and a lot of times the reporters, the enlisted personnel, really know more about the situation than some of the bosses. I was firmly convinced that—granted, this was years ago—you can't mess with the chain of command.

When you stop and think about what a commander has to do—he is required to take care of the physical and medical condition of our troops. He is required to oversee their training. He is required to have medical care if they are wounded, and he has to make the decision of sending our troops into combat. It is inconceivable to me, with all of these responsibilities, that he be taken out of this chain.

It is not just me. Others agree with this. I had conversation with Col. Ana Smythe of the Marine Corps. She said at a press conference:

What you don't understand if you're not in the military is that the fabric and the essence of the military is built around the chain of command. ... If we dismantle or weaken the chain of command, we are lost.

The CMSgt Barbara Taylor said about the Gillibrand bill:

It would be devastating to the United States military. . . . A commander cannot be held responsible if he does not have the authority to act.

So I think those of us who have had military experience and who have been involved in the military understand the serious problems that would come from the adoption of this bill. I strongly recommend we defeat the Gillibrand bill.

With that, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from New York.

Mrs. GILLIBRAND. I yield 10 minutes to Senator COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I am relieved that legislation addressing the crisis of military assault has finally been brought to the Senate Floor, and I commend the Senator from New York, Mrs. GILLIBRAND, and the Senator from Missouri, Mrs. MCCASKILL, for their leadership in bringing this important issue to the forefront.

I also acknowledge the courage and conviction of Jennifer Norris and Ruth Moore—two Mainers who were sexually assaulted while serving our country. They have made it their mission to change the broken system that has not put victims first. Through their advocacy they have helped to shine a light on this crisis, and they deserve our gratitude.

In fact, as Senator GILLIBRAND and I were coming on to the floor, we were stopped by a reporter who asked us: What has made the difference? I said it had been the leadership of the Senator from New York and the Senator from Missouri, but I also pointed to the survivors of military sexual assault who have come forward and been willing to tell their stories, painful though those stories are.

Since 2004, I have been sounding the alarm over the military's ineffective response to the growing crisis of sexual assault in the military, including the need to ensure appropriate punishment for the perpetrators of these crimes, to provide adequate care for the survivor, and to change the culture across the military so that sexual assault is unthinkable.

It was 10 years ago, during an Armed Services Committee hearing, that I first brought up the alarming increase in the number of sexual assaults in the military. Back then the attitude of the witness, GEN George Casey, Jr., then Vice Chief of Staff of the Army, testifying at that hearing was completely dismissive, even though these are serious crimes that traumatize survivors and erode the trust and discipline fundamental to every military unit. I was appalled at the reaction.

While the attitude today among the most senior military leaders is markedly different than the one that I encountered a decade ago, the work of translating the military's stated policy

of zero tolerance into reality remains unfinished business. Fostering a culture of zero tolerance so that the number of assaults is greatly diminished remains a goal, not reality. Ensuring that survivors do not think twice about reporting an assault for fear of retaliation or damage to their careers is still not part of the military culture.

In 2011 I joined our former colleague, John Kerry, in introducing the Defense STRONG Act as an initial step to address this crisis. The provisions of that bill, which were signed into law as part of the fiscal year 2012 National Defense Authorization Act, provide survivors of sexual assault the assistance of advocates with genuine confidentiality, guaranteed access to an attorney, and expedited consideration for the victim to be transferred far away from the assailant.

These were helpful first steps. But more than anything, the victims of sexual assaults, the survivors, need to have the confidence the legal system in which they report a crime will produce a just and fair result. We need to encourage more reporting, and that is what Senator GILLIBRAND's bill will accomplish. This is a goal that I believe is shared by all Members of the Senate, despite our differing opinions on the best path forward for achieving these goals.

In the 113th Congress, a number of proposals have been introduced aimed at reducing the barriers to justice that many survivors of sexual assault face in our military. I have been pleased to work with both Senators GILLIBRAND and MCCASKILL toward this end. As a result of our efforts, as well as those of many others, including Chairman LEVIN and Ranking Member INHOFE, important provisions that all of us agree on have been signed into law as part of this past year's National Defense Authorization Act.

Among those provisions is legislation that I coauthored to extend the STRONG Act to the Coast Guard. In addition, Senator MCCASKILL and I wrote provisions mandating a dishonorable discharge or dismissal for any servicemember convicted of sexual assault. We also allowed a commander to relocate an alleged perpetrator of a sexual assault crime rather than the survivor. Why should it be the survivor who has to move?

Senator GILLIBRAND and I authored a provision that eliminates the elements of the character of the accused from the factors a commander could consider, making it more like what would occur in the civilian system. Senator GILLIBRAND, Senator MCCASKILL, and I authored a provision that eliminates a commander's ability to overturn a conviction by a jury post trial for major offenses.

I mention these reforms because I am encouraged that we have taken these steps to address this vitally important issue. But more remains to be done. I remain cognizant of the fact there are strong views at the Pentagon and with-

in this body about how we should best move forward from here and what that may mean for the military's unique legal system. But one of the criticisms which I totally reject is that we should just wait a few more months for the result of a few more studies or wait a few more years to see if the recently enacted provisions have made a difference. I strongly disagree.

How many more victims are required to suffer before we act further? How many more lives must be ruined before we take additional steps that we know are required to solve this problem? Rather than waiting for the results of yet more studies, we must continue to enact real reforms to increase the confidence of survivors to come forward and report the crimes, to ensure that perpetrators will be dealt with appropriately, and to strengthen prevention efforts right now.

Senator GILLIBRAND's bill is a reasonable proposal designed to communicate to survivors and potential perpetrators alike that when survivors are subjected to these unacceptable, horrific crimes, they will have access to a legal system that fully protects their interests. Providing our troops with that basic confidence is the least we can do.

I believe there is no question of Congress' commitment to reducing the instances of sexual assault in the military and providing appropriate redress and care for survivors. While we debate various proposals, we are united by the need for serious reforms that will strengthen the military's response to sexual assaults. But for the leadership of Senator GILLIBRAND and Senator MCCASKILL, and the courage of those survivors who were finally willing to come forward and tell their stories and know that we would listen to them, believe them, and act, we would not be here today. I am certain that our work will reduce the unnecessary suffering and injustice felt by those who have survived these horrific crimes.

I thank the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. I yield time to the Senator from Iowa.

Mr. GRASSLEY. I thank the Senator from New York.

The Defense Department has been promising Congress and the American people for a long period of time that they are working on this problem of sexual assault, and we are still looking for results, and the statistics get worse. So I believe what Senator GILLIBRAND is saying with her legislation is enough is enough.

I am proud to be a partner in this effort. It fits into an overall principle of government that I have: Greater transparency brings accountability. And I believe this legislation will make this whole problem much more transparent and, with it, accountability to hopefully get the issue solved.

I appreciate the fact that a large number of commonsense reforms were included in the national defense authorization. These changes were long

overdue. However, we are past the point of tinkering with the current system and hoping that does the trick. We have had promises about tackling the problem of sexual assault within the current system for years and years, but the problem is still not any better and, statistics show, is getting worse. We don't have the luxury of time to try some new reforms of the current system and hope they have an impact. We have had those promises before.

What is more, the current system appears to be part of the problem. I will elaborate on that.

We know from the recent Defense Department report that 50 percent of female victims stated they did not report the crime because they believed nothing would be done as a result of their reporting; 74 percent of the females and 60 percent of the males perceived one or more barriers to reporting sexual assault; and 62 percent of the victims who reported sexual assault indicated they perceived some form of professional, social, and/or administrative retaliation.

We can talk about protecting victims, and we can enact more protections, as we did in the national defense authorization, but the fact remains that the current structure of the military justice system is having a deterrent effect on the reporting of these assaults. If sexual assault cases aren't reported, they can't be prosecuted. If sexual assault isn't prosecuted, predators will remain in the military, which results in the perception that sexual assault is tolerated in this culture. That destroys morale and it destroys lives. If an enemy tried to sow that kind of discord among our military, we wouldn't tolerate it, but we are doing it to ourselves.

The men and women who have volunteered to place their lives on the line deserve better, and our military readiness obviously demands it.

Taking prosecutions out of the hands of commanders and giving them to professional prosecutors who are independent of the chain of command will help ensure impartial justice for the men and women of our forces.

I know some Senators will be nervous about the fact that the military is lobbying against this legislation. I have the greatest respect for our military leaders, but Congress has given the military leadership more than enough time to fix this current system. We can't wait any longer. We should not be intimidated by people coming to the Hill because of their stars and ribbons. They deserve our respect but not deference to their opinion.

We also hear that this measure will affect the ability of commanders to retain "good order and discipline." Our legislation in no way takes away the ability of commanders to punish troops under their command for military infractions. Commanders also can and should be held accountable for the climate under their command. But the point here is that sexual assault is a

law enforcement matter, not a military one.

If anyone wants official assurances that we are on the right track, we can take confidence in the fact that an advisory committee appointed by the Secretary of Defense supports these reforms. There is an organization appointed by the Secretary of Defense which goes by the acronym DACOWITS—the Defense Advisory Committee on Women in the Services—which voted overwhelmingly in support of each and every one of the components of the Gillibrand bill.

DACOWITS was created back in 1951 under Defense Secretary Marshall. The committee is composed of civilian and retired military women and men appointed by the Secretary to provide advice and recommendations on matters and policies relating to the recruitment and retention, treatment, and well-being of our highly qualified professional women in the Armed Forces. Historically, the recommendations by DACOWITS have been instrumental in effecting changes to laws and policies pertaining to women in the military. This isn't an outside advocacy group or ad hoc panel; it is a longstanding advisory committee handpicked by the Secretary of Defense, and it supports the substance of this legislation.

It is easier to support incremental reform. In fact, it is also prudent to try small reforms before making bigger changes. I understand why some Senators are nervous about a total overhaul of the military justice system. It isn't something I approach lightly. However, we have waited for years as various initiatives to tackle this problem have been tried.

When we are talking about something as serious and life-altering as sexual assault, we cannot afford to wait any longer than we already have. The time has come to act decisively to change the military culture. We need a clean break from the system where sexual assault isn't reported because of a perception that justice won't be done. Our men and women serving this country deserve nothing less, and they deserve it now. They shouldn't have to wait any longer for justice.

For those reluctant to take this step, I would say that if the more modest reforms proposed by others prove insufficient and we have to come back and enact our reforms at a later time, how will you justify your vote today?

Now is the time for bold action, and I urge my colleagues to join in the effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. I yield to the Senator from Montana, followed by the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Montana.

Mr. WALSH. Madam President, I thank Senators GILLIBRAND and MCCASKILL for their dedication and commitment to dealing with sexual as-

sault in the military and for bringing a serious problem to the forefront of Congress. Their work on the 2014 National Defense Authorization Act helped reform the Uniform Code of Military Justice. But I believe we must do more.

My perspective on prosecuting military sexual assault comes from my 33 years in the Montana National Guard. My view on this is simple: The current system is failing the men and women in uniform. And failure is unacceptable.

While no legislation is perfect, I believe we must fundamentally change how we deal with sexual assault in our military. While I support the reforms that passed last year, we have moved too slowly. Today's debate is about where we go from here.

In the Armed Forces today, a military commander is ultimately responsible for the prosecution of these crimes. In the Montana National Guard, except when federalized, we did things differently. If the unimaginable happened, the prosecution of sexual assault would occur outside the purview of a military commander. Senator GILLIBRAND's Military Justice Improvement Act removes prosecutions from the purview of military commanders—much like the Montana National Guard system.

One of the arguments I have heard against this bill is that if we shift the prosecution of sexual assault outside the chain of command, military leaders will somehow lose their authority on other matters. As a retired military commander, I am confident this is not the case. I have never found myself in a situation with the units I commanded where discipline and devotion to a mission was jeopardized by compliance with the civilian justice system. I am not talking hypotheticals. The chain of command's function is not a mystery to me. I lived it. And it is hard to convey how angry you feel when the system fails your fellow soldiers.

Today's debate is part of a broader effort to improve our military and the lives of those who have served—from the justice system, to the VA claims backlog, to ensuring that veterans find jobs when they complete their service. We have the opportunity to guarantee justice for the men and women within our military and to correct its failures. Now it is time to get it done.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. William Wilberforce wrote:

Having heard all this you can choose to look the other way, but you can never again say, "I did not know."

Having heard the stories of sexual assault in the military, we can look away, but we can never say that we have not heard of this problem, that we are going to ignore this problem. I don't think anybody in this body wants to, but the definition of "insanity" is doing the same thing over and over and

expecting a different result. We have known that sexual assault in the military has been a problem decade after decade. I think it is time we tried something new.

When I heard of a young military recruit from my State—a young woman who was raped, attacked, beaten to a pulp, three nerves pinched in her back, her legs and hips bruised such that she couldn't walk, and she considered suicide—when I heard her rape kit was lost and the case was dismissed, I was disheartened. Her assailant is still in the Navy. We have to do something different. We cannot ignore this problem.

To me it is as simple as this: Should you have to report your assault to your boss? This is what we are talking about. What if your boss goes drinking with the person who assaulted you, who is friends with them? Wouldn't we want the person you complained to completely outside the chain of command? Wouldn't we want to have lawyers involved whose specialty is this type of situation?

I am not saying it is easy. Guilt and justice are sometimes hard to find. But we have evidence that people don't trust the system. They say there are 26,000 episodes of unwanted sexual contact. They say 50 percent of the victims, though, go unreported. There are a lot of reasons for this. Even in the private world, people are afraid or ashamed or don't feel they can talk about this publicly. But we should do everything possible to make sure it is easy to report this because we don't want this to occur.

This doesn't mean, for our men and women who serve, it is a problem that overwhelms the military. It is still a small percentage. But for the 26,000 people having this happen to them, we need to come up with a solution.

What Senator GILLIBRAND has done is an idea whose time has come. It is about justice for victims, but it also is about finding due process. Getting this out of the arbitrary nature of a commander making a decision and into a court with judges where there will be arguments on both sides I think protects the innocent as well as finds justice for the accused.

I overwhelmingly support this bill and this crusade Senator GILLIBRAND has led. I suggest to the Senate that we understand the problem goes on, and tweaking this problem or nibbling around the edges and saying: Oh, we are just going to wait and see if what we are doing is better—we have been doing this for 20 years. I think the time is now to make the change.

I stand with Senator GILLIBRAND, and I wholeheartedly support her bill.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Missouri.

Mrs. MCCASKILL. I yield 8 minutes to the Senator from Rhode Island, Mr. REED.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, there is no doubt that when a sexual assault

occurs in a military unit, when a servicemember is a victim or a perpetrator of sexual assault, then we all fail. It is not just the military chain of command; it is all of us. That is why the efforts of Senator MCCASKILL and Senator GILLIBRAND have been so critical and important. They have galvanized this debate. They have forced action where action needs to be taken. Now the question is, What is the pathway forward that will achieve what we all want—the reduction of sexual assault in the military forces?

I have expressed before concerns with the approach Senator GILLIBRAND has taken because I firmly believe, based on experience in the Active military, leadership has to be involved at every stage—recruitment, training, evaluation, promotion, and retention. When we take the commanders out of any of these steps, we diminish their effectiveness in every one of these steps. Removing the commander from these responsibilities, in my view, will weaken his or her effectiveness, and the test of that effectiveness is not in the courtroom, it is on the battlefield, and the consequences of such weakness could be significant to the forces of the United States. So we have to continue to maintain a system that recognizes the need for constant attention to this issue, constant leadership and command focus, on this issue.

We also have to recognize that the proposal we are putting forward today—and I think this is critical—is not just about sexual assault; it covers a wide range of offenses, offenses like larceny of personal equipment in the barracks. It covers a whole host of crimes that are not directly related to sexual assault.

As a result of this bifurcated system that would be created, some traditional charges, such as AWOL, have been reserved for the commander, but a significant amount of charges has been referred to this new process. This bifurcated system will cause practical problems that will undercut the effectiveness of units to perform their mission and to do what is necessary to protect their soldiers, sailors, airmen, and marines.

The service JAGs—very experienced legal officers who have served in the uniformed military justice system in the United States—have pointed out several defects.

First, the proposal fails to address the complexity of these cases. Some cases will be referred to the special prosecutor, while others will remain with the commander, creating a multiplicity of venues, multiplicity of investigations, and perhaps conflicting decisions; all of which not only impose significant costs, but I think interferes with the sense the soldiers should have that they know what the system is.

Second, this proposal takes away one of the most significant aspects of the military justice system; that is, nonjudicial punishment. For example, as I illustrated before in my remarks, you

could have a barracks thief who steals an iPhone and an iPad that accumulates to a certain amount to trigger a charge that has to be referred to a special prosecutor. If that special prosecutor declines to prosecute, then it goes back to the company commander. But the company or the battalion commander, given the level of jurisdiction, cannot now impose nonjudicial punishment for the simple fact that the accused has to accept the punishment, but if there is no way he or she can be court-martialed, that punishment will not be accepted.

For offenses that are properly tried or adjudicated through the Article 15 process, those offenses will literally not only go unpunished, but the whole climate of command could be significantly changed.

Third, there is a constitutional issue, which is that under this proposal, you have the creation of a single office—and again I will refer to it generically as special prosecutors—with the authority to appoint counsel—defense counsel—and members of courts-martial panels, and that raises constitutional problems.

Let me conclude by saying that we have had a vigorous debate, and it has been an important debate, but we have had the opportunity since that debate to get the results of the Role of the Commander Subcommittee from the Response Systems Panel. These are objective members—in fact, many of them have for years been in the forefront of urging sensible reforms in the military, of being the vanguard in protecting victims in many different forms. They have concluded that the commander should remain within the loop, should remain as Senator MCCASKILL, Senator AYOTTE, and Senator FISCHER proposed, with corrections and with improvements that I think are very appropriate.

I would urge that we support strongly the provisions Senators AYOTTE, MCCASKILL, and FISCHER have proposed. They strengthen the system. But I must say that to remove the commander as proposed would in the long run be detrimental not only to the effectiveness of the military forces but detrimental to our common goal, which is to reduce sexual assault in the military of the United States. If we do not, if we allow it to continue—it is a corrosive force that will undermine our forces more than anything else.

Committed to that goal, I think we should support Senator MCCASKILL, and I am pleased to do so.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. I yield time to the Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Thank you very much, Madam President.

I thank Senator GILLIBRAND for her extraordinary leadership.

Today you will hear two things: One is to support both bills, which I believe

we should do, and one is an attack on the Gillibrand bill, which for the life of me I do not understand. I am not going to filibuster Senator McCASKILL's bill because I think it is important. I am not going to filibuster Senator GILLIBRAND's bill because it is the one opportunity to bring about the change that the survivors of rape and the survivors of sexual assault are pushing for.

I ask unanimous consent to have printed in the RECORD the names of 45 organizations that are supporting the Gillibrand bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

VETERAN & WOMEN'S GROUPS SUPPORTING THE MILITARY JUSTICE IMPROVEMENT ACT

Numerous organizations support the Military Justice Improvement Act, including:

Iraq and Afghanistan Veterans of America (IAVA), Vietnam Veterans of America, Service Womens Action Network, Protect Our Defenders, National Women's Law Center, National Task Force to End Sexual and Domestic Violence Against Women, National Alliance to End Sexual Violence, National Research Center for Women & Families, Jacobs Institute of Women's Health, Our Bodies Ourselves, International Federation of Professional and Technical Engineers, Members of the National Alliance to End Sexual Violence, 9to5, Baha'is of the United States, Equal Rights Advocates, Evangelical Lutheran Church in America, Federally Employed Women, Feminist Majority, Futures Without Violence, General Federation of Women's Clubs, GetEqual, Girls, Inc.

Hindu American Seva Communities, Institute for Science and Human Values, Inc., Jewish Women International, Joyful Heart Foundation, National Capital Union Retirees, National Center on Domestic and Sexual Violence, National Coalition Against Domestic Violence, National Congress of Black Women, Inc, National Council of Churches, National Council of Jewish Women, National Council of Women's Organizations, National Organization for Women, National Women's Health Network, OWL-The Voice of Midlife and Older Women, Peaceful Families Project, Presbyterian Women in the Presbyterian Church (U.S.A.), Inc., Religious Coalition for Reproductive Choice, SPART*A, an LGBT Military Organization, The National Congress of American Indians, United Church of Christ, Justice and Witness Ministries, V-Day, Woman's National Democratic Club, Women's Research & Education Institute, YWCA USA.

Mrs. BOXER. So when people stand here and start attacking that bill and saying how awful it is, I want them to remember just a few of the organizations that stand with Senator GILLIBRAND: the Iraq and Afghanistan Veterans of America—do you want to listen to the bureaucrats or do you want to listen to the people who know what is going on—the Vietnam Veterans of America; the Service Women's Action Network; the Evangelical Lutheran Church in America; the National Congress of Black Women, Inc.; the YWCA. There are 45 organizations.

I have a very strong message for colleagues: Do not filibuster justice. Do not filibuster the Gillibrand bill. Do not filibuster the McCaskill bill. My goodness, these women deserve an up-

or-down vote on their bills. And the only reason I think some are forcing a filibuster on the Gillibrand bill is they know we have a majority. Just how strong it is we will find out. But what a sad day, when 17 women in the Senate support both approaches—17 of the 20 women—that we are facing a filibuster on the Gillibrand bill. Do not filibuster justice. It is pretty simple. You are going to hear a lot of words from politicians like me. Fine. But I think it is important to listen to the words of the victims and find a little humility—stories of victims such as Amanda Javier, who served in the Marine Corps in 1993. He was brutally raped and physically assaulted by a group of fellow marines. Ashamed and fearing for his life, he kept his rape a secret for 15 years. Do you know what it is like to keep a secret such as that, to suffer the pain and humiliation for 15 years.

When he finally found the courage to share his story with a friend, he decided to write it down. I want you to listen to his words:

My experience left me torn apart physically, mentally and spiritually. I was dehumanized and treated with ultimate cruelty by my perpetrators. I was embarrassed. I was ashamed. I didn't know what to do. I was young at the time, and being part of an elite organization that valued brotherhood, integrity and faithfulness made it hard to come forward and reveal what happened.

Well, here we are two decades later and no one has been held accountable for that heinous crime. And it goes on. I appreciate Senator PAUL reading what happened to one of his constituents. But you will hear the voices of the status quo in this body, and let me tell you, they are in great company, the voices of the status quo, the ones who are filibustering the Gillibrand bill. Let me tell you some of the voices of the status quo—and notice this: They are Republicans and Democrats.

Dick Cheney said in 1992: "We've got a major effort underway to try and educate everybody . . . let them know that we've got a zero-tolerance policy."

Secretary Bill Perry: "For all these reasons, we have zero tolerance for sexual harassment."

This has been going on for 20 years, and that spirit is being continued right here today from those who want to filibuster the Gillibrand proposal.

Secretary Cohen: "I intend to enforce a strict policy of zero tolerance."

Secretary Rumsfeld: "Sexual assault will not be tolerated."

Secretary Gates: "I have zero tolerance."

Secretary Leon Panetta: "We have no tolerance for this."

Secretary Hagel: "These crimes have no place in the greatest military on earth."

Words are swell. Who can argue with these words? But let's look at where we are today in terms of what is actually happening on the ground. I say to the voices who are standing in the way of an up-or-down vote on KIRSTEN GILLIBRAND's bill: Look at these facts. There

were 26,000 cases of sexual assault in the military in 2012, and 1.2 percent of them have been prosecuted. This white circle represents the 26,000 cases. This thin sliver in green that you can barely see represents the amount that was prosecuted. Do you know what happens to these folks who get out? They continue their activities either in the military or on the streets of our cities, our counties, and our States. Yet these voices of the status quo in this Senate will tell you "oh my goodness, we cannot make this change" even though 45 organizations, including the Iraq and Afghanistan fighters, are telling us to do so.

Here is the deal. This is another way to look at it. There were 26,000 estimated sexual assaults in 2012. We have a 90-percent problem—90 percent of these cases go unreported. Guess what, folks. Are you surprised they are afraid to go to their commander, those of you who are supporting this status quo? Just ask them. Do not listen to Senator GILLIBRAND or to me. We are not in the military. The people who are in the military are telling us, begging us, along with every organization that stands for the survivors: Please change it.

Now I ask you, if there was a rape in your office in the Senate and somebody upstairs yelled and screamed and you went up there as a Senator, what would you do? Would you decide whether the case ought to be prosecuted or would you call the police? Would you call the experts?

I do not think CEOs ought to determine whether a case of rape should be prosecuted. Do you? I don't think so. Yet that is what you are supporting here with the commander who knows all the players. Suppose he goes out to drink with the perp, knows him well, thinks he is a great fighter. I know Senator McCASKILL is trying to fix these problems around the edges—fine—but let's get to the heart of the matter.

In summation, we can continue the 20 years of baloney and not make the change that needs to be made under the important Gillibrand bill. What we do is we say we are keeping this in the military, but we are allowing the experts to make the decision. That is fair to the accuser, and that is fair to the accused. As a matter of fact, we have people supporting us because they believe it is fair to both sides, not just the accuser.

So let's not filibuster justice. Do not stand here and say how you care about this and then filibuster the Gillibrand bill because you will be judged on that vote. If you have problems with the details of the bill, vote against the bill but do not filibuster justice.

This is a chance we have, an opportunity we have. Yes, it will be revisited over and over because these problems, if we do not make these changes, are going to continue. Today is an amazing moment in time that we could come together and allow an up-or-down vote on

the Gillibrand proposal. We wouldn't be filibustering justice, and I think we would bring some needed change—needed change, Madam President, that all the leading named organizations I have put in the RECORD endorse. I hope we will stand with those victims, stand with those providers, and stand with those advocacy groups and be humble and not say we know better than they.

Thank you very much, and I thank Senator GILLIBRAND.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. I yield 10 minutes to the Senator from Michigan, the chairman of the Senate Armed Services Committee, Mr. LEVIN.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, first let me thank Senator MCCASKILL for her terrific leadership on this matter and Senator AYOTTE and others on our committee who worked so hard to strengthen our laws against sexual assault and strengthen the ability of our commanders to act, as we did in our defense authorization bill and in the second bill we will be voting on today.

We will be voting today on two bills regarding sexual assault in our military, and I believe the strongest, most effective approach we can take to reduce sexual assault is to hold commanders accountable for establishing and maintaining a command climate that does not tolerate sexual assault. In order to do that, we must maintain the important authority to prosecute sexual assaults that our military commanders now have, and we must add greater accountability for those commanders.

The evidence shows that removing this authority from our commanders would weaken, not strengthen, our response to this urgent problem. That is why I believe the bill offered by Senator GILLIBRAND and others, though offered in the hope that it would strengthen our efforts against sexual assault, will in fact have the opposite effect.

In the last year we have learned that in scores of cases during the period study, commanders prosecuted sexual assault cases that civilian attorneys had declined to prosecute. We have learned our military allies, whose policies have been cited in support of removing commanders' authority, generally made their changes to protect the rights of the accused, not the victim. We have learned there is no evidence that their changes resulted in any increase in reporting of assaults. So when the allies made the change—not to protect victims but to increase the rights of the accused—it did not lead to any increase in the reporting of assaults.

On January 29, we received the conclusions of a report from the Response Systems to Adult Sexual Assault Crimes Panel—an independent panel of legal and military experts of diverse backgrounds that was established by

Congress to advise us on how to respond to this issue. A subcommittee of the panel addressed the role of commanders in prosecuting sexual assaults, the very issue we will be voting on today.

Here is what that subcommittee concluded:

There is no evidentiary basis at this time supporting a conclusion that removing senior commanders as convening authority will reduce the incidence of sexual assault or increase sexual assault reporting.

The subcommittee reached that conclusion, despite the fact that many members began the process sympathetic—if not outright supportive—of the notion that we should remove the commanders' authority.

Here is what one member of the subcommittee, former Congresswoman Elizabeth Holtzman, said:

I've changed my mind, because I was just listening to what we heard. I started out . . . thinking, why not change it and now I am saying, why change it. . . . Just turning it over to prosecutors doesn't mean you are going to get the results you are looking for.

Congresswoman Holtzman authored the Federal rape shield law when she was a Member of Congress.

Another member of the subcommittee, former Federal Judge Barbara Jones, said that if you remove this authority from commanders "there is no empirical evidence that reporting is going to increase. . . . If I were persuaded that removing the convening authority would encourage victims to report then this would be a different story. But I am not persuaded of that."

Listen to Mai Fernandez, the executive director of the National Center for Victims of Crime. She was a member of the panel, and this is what she said about the proposal to remove commanders' authority to prosecute:

When you hear it at first blush, you go, "Yeah, I want to go with that." But when you hear the facts, like you would in a case, it just doesn't hold up.

The women making those statements had no stars on their shoulders; they are not Pentagon insiders. They are members of the independent panel that we in Congress tasked with reporting to us on these issues.

Underlying the crisis of sexual assault in our military is a problem of culture, a culture that has been too permissive of sexual misconduct, too unaware that a person who is successful in his professional life may also be a sexual predator. It is a culture too prone to ostracize or even act against those who report sexual assaults.

The military has unique tools to address those problems. Foremost among those tools is the authority of the commander to establish a command climate by giving orders and enforcing discipline. At every time in our history when our military has faced such cultural challenges—such as the challenge of ending racial discrimination in the 1940s and 1950s or the challenge of end-

ing don't ask, don't tell in our time—commanders with the authority to initiate courts-martial have been essential in achieving change.

But we are not going to achieve change if—at the same time we demand of our commanders that they change the military culture to take on the sexual assault problem—we remove their most powerful tool to achieve that change.

Senator GILLIBRAND's bill creates a new, separate disposition authority to deal with the sexual assault and other serious crimes. Our focus throughout this debate has been, rightly, on how to improve our approach to sexual assault. As a matter of fact, sexual assault would make up just a fraction of the cases this new disposition authority would deal with.

In a letter to me, Under Secretary of Defense for Personnel and Readiness Jessica Wright recently reported in fiscal year 2012, the Department of Defense estimates it handled more than 5,600 cases that would be referred to this new disposition authority if it were created, but two-thirds of those cases did not involve sexual assault. The Gillibrand bill would shift dozens of our top military lawyers to a new authority that would spend only one-third of its time dealing with the problem we are trying to solve, the problem of sexual assault.

The National Defense Authorization Act, which we enacted just a few months ago, provides our commanders with additional tools to meet this challenge and important new protections for victims. It provides victims of sexual assault with their own legal counsel specially trained to assist them. It makes retaliation a crime when that retaliation is against victims who report a sexual assault. It requires that the inspector general investigate all complaints of retaliation. It requires that any decision by a commander not to prosecute a sexual assault complaint will have an automatic review by a higher command authority—in nearly all cases by a general or flag officer and in certain cases by the service Secretary, the highest civilian authority in each service.

The second bill we are going to vote on today—offered by Senators MCCASKILL, AYOTTE, and others—provides additional protections to those we just added in the National Defense Authorization Act. The McCaskill-Ayotte bill ensures victims have a voice in deciding whether their cases will be prosecuted in the military or civilian justice system. Indeed, it requires that special victims' counsel established by the National Defense Authorization Act advise victims on the pros and cons of those two approaches. It requires that commanding officers be graded on their success or failure in creating a climate in which there is no tolerance for sexual misconduct and in which victims can come forward without fear.

These additional protections in the McCaskill-Ayotte bill help us answer

the key question of how can we best strengthen our protections against military sexual assault. I believe we do so by empowering victims and by holding our commanders accountable, but we threaten to weaken those protections if we undermine the authority of the very commanders who must be at the heart of the solution. Powerful evidence should lead us to the conclusion that we should not remove the authority of commanders to prosecute these cases.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. I yield my time to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I rise in strong support of Senator GILLIBRAND's Military Justice Improvement Act. I wish to recognize her and all of the Senators who have worked so hard on this legislation and all of the groups who have been involved.

I was very proud to be an original cosponsor of the legislation, and after more than 1 year of meeting with military sexual assault survivors and bringing attention to this ongoing crisis, I am encouraged by the historic opportunity we have today.

As Senator LEVIN said, this is an important debate for us to be having. I certainly applaud Senators MCCASKILL and AYOTTE and everyone who has been involved in this effort because I think it sends a very important message to our leaders in the military and to those who would perpetrate crimes of sexual violence.

Today we not only have the opportunity to make meaningful, commonsense reforms to our military criminal justice system but we also have a chance to send a very powerful message to the tens of thousands of victims—many of whom have been suffering quietly for decades—that what happened to them is not acceptable; it is criminal, and it will no longer be tolerated.

Let's be clear: Sexual assault is a crime. It is not an accident. It is not a mistake. It is a violent criminal act often perpetrated by serial offenders. We can't allow sexual assault perpetrators to escape justice in any setting but particularly when these assaults occur within our Nation's military.

Unfortunately, it has been 23 years since the Tailhook scandal, and despite the repeated assurances that the chain of command is committed to addressing this issue, we are no closer to a solution. How long will we wait? How many tens of thousands of our sons and daughters will be victims? How many will be victims without reliable access to justice?

Today we have a rare opportunity to end one of the fundamental structural biases that persists in our military criminal justice system. This is not about undermining battlefield com-

mand or good order and discipline. No one wants to do that. This is about access to justice.

Survivors overwhelmingly tell us that the reason they don't come forward is because they don't trust that chain of command. They don't trust that the chain of command will handle their case objectively, a fact that has been repeatedly acknowledged by military leaders during Armed Services Committee hearings. Placing the decision on whether to go to trial in the hands of experienced military prosecutors is a commonsense reform that will go a long way toward promoting transparency and accountability within our system.

Our military's tradition of honor and respect is too important to continue to be plagued by the status quo. We strengthen our military when victims of sexual assault have the confidence to come forward and report crimes and we remove fear and stigma from the process. We strengthen our military when we are able to deliver fair and impartial justice on behalf of victims.

Victims' eyes are on us today. There is strong bipartisan support behind the Gillibrand bill. It is on full display. I certainly urge all of my colleagues to support this measure, and let's make meaningful reform to what has happened for too long to victims of sexual assault in the military.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, I rise, together with my colleagues Senator GRAHAM and Senator AYOTTE, and ask that the Chair advise when we have used 20 minutes of time. We are going to engage in a colloquy about this important decision that is in front of the Senate.

It is, in fact, with great humility that I come to this policy debate. I don't think anyone in the Senate has spent more time in a courtroom putting perpetrators in prison who have committed sexual crimes. I don't think anybody has spent more time with victims of sexual assault. There is an incredible amount of pressure that you feel when you walk into a courtroom knowing that victim has placed trust in you to bring the evidence forward, and I am forever marked by that experience. It is with that experience that I have become convinced that the policy changes that are being advocated will not work for victims.

In fact, it is clear that when these changes have been enacted other places, reporting has not increased. It is clear that right now we have more cases going to court-martial over the objections of prosecutors than the objections of commanders. Today there is a court-martial ongoing where a prosecutor walked away from the serious charges and the commander said go forward. There have been almost 100 cases over the last 2 years where prosecutors said this case is too tough and

the commanders have said, no, we have to get to the bottom of it. We can't let the commanders walk away. We cannot let the commanders walk away.

There is nothing in the Gillibrand proposal that provides additional protection from retaliation.

I ask Senator GRAHAM: If someone walks back into their unit after being victimized and the unit knows the commander has said this case is going forward, how would that contrast to walking back into his or her unit when the unit knows some lawyer in Fort Belvoir—hundreds of miles away—has said whether this case should go forward? I am trying to figure out how removing the commander provides any additional protection from retaliation to that victim.

Mr. GRAHAM. That is a very good question. The commander in the military is just not somebody. The man or woman in charge of that unit is the person to whom we give the ultimate authority to decide life-and-death decisions for that unit. So if we deal the commander out, we have a rape in the barracks. The worst thing that could happen in a unit is for the commander to say, This is no longer my problem. It is the commander's problem. Every commander I have met wants it to continue to be their problem, because when we have one member of a unit assaulting the other, it affects everybody in that unit. And the person we as a nation choose to run the finest military in the world—the commander—has the absolute authority to maintain that unit for readiness. If we don't give that commander the tools and hold them accountable, that unit will fall apart right in front of our eyes, because some lawyer somewhere is no substitute for the commander who is there every day.

Mrs. MCCASKILL. I would say to Senator AYOTTE, I am also struggling with some of the practical problems in this policy, and one of the things I can't figure out is why the amendment limits the ability to add any additional resources. It strictly prohibits the military from bringing additional resources to bear on this problem, which is counterintuitive to me. If the goal here is to do our very best job to protect victims, and the practical problem is we do not have enough of the level of JAG officers right now to set up these offices on a global basis, which means things are going to slow down because we don't have enough—I know the Senator from New Hampshire has been a prosecutor. Certainly there is nothing harder for a victim than justice delayed.

So in addition to it not increasing reporting, in addition to it not protecting from retaliation, in addition to removing commanders from their accountability, we also have some real practical implications.

Ms. AYOTTE. I thank the Senator from Missouri for her leadership. She is correct. She has prosecuted more of these cases than I think anyone in this body, so I appreciate her leadership.

Under the system that is put forward under the Gillibrand proposal—let me thank her for her passion about this issue as well—we know it prohibits funding and personnel. How does that work when we are going to set up a whole new system? I worry about the deployability of this system. When someone is in Iraq or Afghanistan and they are a victim, where are these JAG lawyers going to be? Will they be in Washington making these decisions? But we won't be able to put any additional resources toward it. So is this system still deployable?

There are other problems with implementation. There are big concerns about the right to a speedy trial. If that happens, as we know, then the defendant can't be prosecuted.

Eliminating the ability to plea bargain—we heard Senator REID speak about that, because this proposal eliminates two-thirds of the crimes from the UCMJ out of the authority of the commander, well beyond this issue of sexual assault, which we are committed to addressing. It also creates serious due process concerns. So there are serious implementation questions about this.

I wish to raise a question that keeps coming up: We need to hold the commanders more accountable. I agree with the Senator from Missouri. We cannot allow them off the hook. If we take them out of this equation, then there will be less accountability. Our proposal actually has it as part of how a commander is going to be judged, how the commanders handle these cases. That is not the status quo, because we want the chain of command to be more accountable. But we keep hearing we want victims to come forward, and the Senator from Missouri knows that from her experience as a prosecutor.

I would say this: Does the evidence support that more victims will come forward if we actually pass the Gillibrand proposal? Because why are we here. We want more victims to come forward. Will more victims see justice if this proposal is passed? Because this is ultimately what we are trying to get at.

Mrs. MCCASKILL. We have hard data on that. In fact, I think that is one of the reasons, if we look at this quote:

I went into this thinking Senator Gillibrand's legislation made sense, but when you hear the facts, it doesn't hold up.

That is an important quote, but even more important when we realize who said it. This is the woman who runs the National Center for Victims of Crime for our entire Nation. She heard 150 witnesses, representing many of the groups that have been referenced in this debate. She realized that when they looked at the data, our allies have done this, and not in one nation, after years of experience with changing the system, has the reporting increased.

The way we increase reporting is to give the victim a safe harbor, which we have done, to report outside the chain

of command, and to have their own lawyer, and to make sure they have power and deference in the process, which we have done, along with the reforms, on which I am very proud to have worked with Senator GILLIBRAND.

Mr. GRAHAM. Madam President, if we wanted to find the definition of leadership in 2014: MCCASKILL, AYOTTE, and the great Senator from Nebraska, three women taking on an issue head on. To those of my Democratic colleagues who are going to stick with making reforms without destroying a commander's role in the military: You deserve a lot of credit because people have been on your butt in the donor community to vote the other way.

To these ladies—and there have been plenty of people helping—they don't know how much it will be appreciated in the military. This is not a legal debate here. How many of my colleagues have done courts-martial? How many of my colleagues have court-martialed anybody in the military? I have done hundreds, as a prosecutor and as a defense attorney. This is not some casual event to me.

What Senator GILLIBRAND is doing is way off base. It will not get us to the promised land of having a more victim-friendly system to report sexual assaults. That is being accomplished because of the people I have just named: Senators FISCHER, AYOTTE, MCCASKILL, and Senator LEVIN. They have brought about reforms in terms of how a case is reported in the military, allowing a lawyer to be assigned to every victim. I cannot tell my colleagues how proud I am of what they have been able to accomplish. The U.S. military is going to have the most victim-friendly system of every jurisdiction in the land, including New York and South Carolina.

But this is about the commander. How many of my colleagues believe we have the finest military in the entire world? Every Member of this body would raise their hand. The question is why. Because we have the best lawyers in the world? No. Because we have the best commanders—men and women who are given the responsibility to defend this Nation and have power and responsibility that most of my colleagues could never envision. And if this is about sexual assault, why the hell are we taking barracks theft out of the commander's purview?

This is about liberal people wanting to gut the military justice system—social engineering run amok. I want to help victims, but I also want a fair trial. But the one thing I will not say to our commanders who exist in 2014: You are fired, because you are morally bankrupt. You don't have the ability to render justice in your unit because there is something wrong with you; your sense of justice is askew, so we are going to fire you and take away an authority you have had traditionally to make sure that your unit is ready to go to war, because we feel as though you are morally bankrupt. What other conclusion can we come to?

The next time we see somebody in the military who is a senior member of the 3 percent that Senator GILLIBRAND speaks about—it is only 3 percent who make these decisions. Who are these 3 percent? They are our wing commanders, our squadron commanders, our fleet commanders, our brigade commanders—the people we entrust and hold accountable for fighting and winning the war.

I say to my colleagues, if we care about what military lawyers think, every judge advocate general is begging us not to do this. The people we are going to give the power to don't want it because they understand that the commander is different than the lawyer. The first female judge advocate general of the Army has made an impassioned plea: Do not do this.

This is not a legal issue alone; this is about how to maintain the best military in the world.

I would conclude that if we want to create confusion in the ranks and if we want to tell every enlisted person who has to—should be—looking up to the commander, the Senate just fired your boss when it comes to these kinds of matters, but you should still respect him, that is a very confusing message.

I wish to end my speech with this: We have had some bad commanders. However, to those who command the military, I have confidence in you. You will take this system to a new level. You have to up your game, but I am not going to fire you. Thank you for commanding the finest military in the world. I will do nothing to say you are morally bankrupt, because I don't believe that.

Mrs. MCCASKILL. I have great respect for the Senator's time and for working in the trenches as a military prosecutor in the JAG corps. I will tell my colleagues honestly, I am less concerned about the commanders than I am the victims. The Senator and I maybe don't see it exactly the same way in that regard. I believe there are commanders who deserve to be held accountable for their failure to act, for their want to sweep this crime under the rug throughout history, but I think we are handing the broom to the prosecutors at this point based on the data we have.

One of the things I wanted to go over and mention to Senator AYOTTE is the systems response panel. I think it is important to understand—the DACOWITS panel was mentioned. I want everybody to understand the difference between the DACOWITS panel and the systems response panel. The DACOWITS panel has been in place for years, and they took up this matter and heard no witnesses from the JAG corps. In fact, I think they heard two witnesses or three witnesses and two of them were me and KIRSTEN GILLIBRAND. They took no time to really go deeply into this very complex subject.

The systems response panel was created by Congress, and it was for the purpose of giving us their clear eye of

advice on the best way to deal with this problem in the military.

This is a majority of civilians and a majority of women who made up this panel. They heard 150 witnesses over months. They heard from all of the people who are advocating for the Gillibrand proposal. They heard from the JAGs. They heard from victim organizations. They came out overwhelmingly rejecting this proposal.

One of the most interesting members—and I will be honest; when I went to testify in front of this response panel, I was very worried that Elizabeth Holtzman maybe would not agree with me. She has a long history in Congress. She wrote the Federal rape shield statute. I assumed she would begin this process assuming that in the simple equation of victims versus commanders, I take victims. If only it were that simple. What the response panel figured out is that it is not that simple.

Judge Holtzman, the judge who wrote the decision overturning DOMA, said:

Just turning it over to prosecutors doesn't mean you are going to get the results you are looking for.

And Elizabeth—this is what Elizabeth Holtzman said: “Just turning it over to prosecutors doesn't mean you are going to get the results you are looking for.” That is what Holtzman said.

Judge Jones: “There is no evidence that removing the convening authority is going to improve any of the parts of the system.”

That is startling, this response, from a panel that looked at it over months, 150 witnesses, majority civilians, majority women. This is not a bumper sticker. It is not as simple as it sounds. I would never oppose anything that I thought was going to help victims or put more perpetrators in prison—ever. This will have the opposite impact that many of the advocates are indicating that it will.

Ms. AYOTTE. Let me just say, this panel took on the key question. That is why we are doing this. I am doing this because I believe victims will get justice and there will be more accountability. I want to hold commanders more accountable for not only how they handle these crimes but also for that zero tolerance policy within their unit. That is why we want them judged on this basis.

That panel has looked at this issue of reporting and found that there is no evidentiary basis at this time to support a conclusion that removing senior commanders as the convening authority will reduce the incidence of sexual assault—which we want them to establish that climate within their unit to do so—or increase reporting of sexual assaults.

I would also say, if we want justice for victims, what about those 93 victims where the commander said: Bring the case forward, even though the JAG lawyer said no? They would not have gotten justice. So the evidence is the

opposite. What would we say to those victims? The evidence shows that actually commanders are bringing cases more frequently than their JAG's lawyers and over their objections.

The panel also found that none of the military justice systems of our allies was changed or set up to deal with the problem of sexual assault. So for those allies who have taken it out of the chain of command, this panel said that none of them can attribute any changes in the reporting of sexual assault to changing the role of the commander.

We were told from the beginning of this argument that our allies changed this so that more people would come forward. Well, they have not. In fact, what we learned is many of our allies changed it to protect defendants.

Mrs. MCCASKILL. Isn't it true that, in fact, our reporting is up?

Ms. AYOTTE. Our reporting has actually—since 2013, in the Marine Corps it is up 80 percent and in the Army it is up 50 percent. That is even before the legislation that we have all worked on to have special victims counsels for every single victim that we have already passed in this body.

Mr. GRAHAM. Will the Senator yield for just a second?

Ms. AYOTTE. Yes, I will.

Mr. GRAHAM. Why is it nobody seems to think taking the commander out of the loop is going to help the problem? Because you cannot solve the problem in the military unless the commander buys in. I cannot think of any change in the military that is major and substantial that can happen without the chain of command being held accountable and buying in.

I would like to say this. To those who believe our military is set up where a victim's case is never heard because you have some distant figure called the commander and they just put this stuff under the rug, O-6 commanders—the O-6 level are special court-martial convening authorities. General court-martial convening authorities are flag officers.

It is not rampant in the military, folks, where a JAG will go in to the commander and say: This is a case that needs to be prosecuted, sir, madam; and the commander says: I don't want to fool with this.

The opposite is true, where the JAG will say: Tough; and the commander says: Move forward.

Well, what have we done here. We have said to the command that if your judge advocate recommends prosecution in the four areas in question—sexual assault—and the commander refuses to prosecute, that decision is appealed to the Secretary of the service.

So if you are wondering about rogue commanders—and there are bad commanders—you are indicting the whole chain of command here, folks. That is why I am so emotional about this. You are indicting a class of Americans who deserve praise and a chance to get their act together where they failed.

But the bottom line is, if a commander refuses to—I ask unanimous consent for 1 minute—2 minutes.

Mrs. MCCASKILL. One minute.

Mr. GRAHAM. OK.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. If the commander refuses the JAG's recommendation, it goes to the Secretary of the service. If the JAG and the commander both say this is not a case we want to prosecute, when it is in the area of sexual assault, it goes to the commander's commander. So there are built-in checks and balances.

The key to fixing this problem is the commander. The key to maintaining a well-run military is the commander. The key to fighting and winning wars is the commander. The key to bringing justice to victims is the court-martial panel, the lawyers, the judge and the juries, and the commander. But the key to American military success over time has been the commander.

Madam President, 800 trials in Iraq and Afghanistan since 9/11. This is a nondeployable military justice system that Senator GILLIBRAND is trying to create. Please do not change the structure of the military because of this issue. Fix this issue. Preserve the structure of the military that has served us so well, and keep reforming.

To the Senators I have named, you have done those in the military—victims—a great service. For God's sake, Members of the Senate, do not change the structure of the military at a time we need it the most. Hold it more accountable, not less.

Mrs. MCCASKILL. Thank you, Madam President.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I yield my time to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Madam President, I first would like to thank Senators GILLIBRAND, MCCASKILL, AYOTTE, and FISCHER for their hard work on this issue, and my friend from South Carolina, who has worked passionately hard on this issue also.

As someone who strongly believes in bipartisanship, I am glad to see the Senate moving forward today on debating and voting on this particular issue.

While we may not all agree on how to best solve this particular issue, we can all agree that it is too important not to debate and ultimately vote on ways to address it.

Our military is the greatest fighting force the world has ever known. The freedoms we enjoy as Americans are because men and women continue to volunteer to serve and to protect our Nation.

The vast majority of these men and women serve with honor and integrity. However, there are a few bad actors in our military who commit crimes against their fellow servicemembers.

The question the Senate faces is whether or not the military justice system is equipped to properly handle sexual assault within the ranks.

After careful consideration, weighing all the facts, I feel the military today is not equipped, and that is why I support Senator GILLIBRAND's approach.

Like everyone else in this Chamber, I am disappointed we ever got to this point. No soldier should have their service degraded due to dishonorable conduct in the ranks. But there have been ample opportunities for the military to address this issue within its own ranks, and too much time has passed without this problem being resolved.

It is Congress's responsibility now to step in to protect the best America has to offer. Congress needs to address what is currently lacking for victims. Victims need to feel confident in reporting crimes of sexual assault. Victims must be protected from retaliation, and victims must be confident that justice will be served.

Senator GILLIBRAND's legislation will accomplish these goals.

If the Senate passes this bill today, loopholes in the military structure will no longer be an option to protect sexual assailants. These changes are long overdue and will hold the military to the highest standards that they strive towards.

I encourage the rest of my colleagues to join me in supporting her efforts and keeping our commitment to protect the men and women who are honorably serving our Nation.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I yield Senator MCCASKILL's time to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Madam President, I rise to speak in full support of the McCaskill-Ayotte-Fischer proposal that is before us today. It will only strengthen the historic reforms that have already been passed by this body to combat sexual assault in the military.

I also rise to express concerns with the Gillibrand proposal to remove commanders from this process because I believe that is going to undermine credibility and accountability.

I am glad we are having this debate on the floor because every Member of this Senate agrees that this is a problem that needs to be addressed.

Over the past year the members of the Armed Services Committee have focused on this issue. It cuts across ideology, across gender, and across regions. It also cuts across party lines.

I was happy to work across the aisle with Senator SHAHEEN on improving the standards for personnel responsible for sexual assault prevention. I was pleased to join with Senator BLUMENTHAL to ensure that victims' rights are protected under the Uniform Code of Military Justice.

I would argue that our efforts to fight sexual assault show Congress at its best. It is how we are supposed to work. So although we may disagree, we do share the same goals.

Senator MCCASKILL and Senator GILLIBRAND have both been real leaders in the Senate Armed Services Committee, which held that landmark hearing with our top commanders to explore the problem of sexual violence in the ranks last June.

The committee received input from all sides, and we, along with our House colleagues, passed a series of very meaningful reforms when we passed the National Defense Authorization Act. Those are reforms of which we can all be proud.

We stripped commanders of the ability to overturn jury convictions. We made retaliation against victims a crime. We required dishonorable discharge or dismissal for those convicted of sexual assault.

Now we are trying to strengthen that. We are trying to strengthen those great reforms with the McCaskill-Ayotte-Fischer legislation. I believe our proposal will do more to strengthen the rights of victims, and it will enhance the tools to prosecute the criminals.

Specifically, our bill extends the current protections to service academies. That is so important. That is in our bill. It boosts the evaluation standards for commanders—also important. It allows the victims increased input—extremely important. So rather than revamping the entire military justice system, which I believe carries massive risk, our proposal improves and updates the current system.

Unfortunately, the Gillibrand proposal, I believe, takes radical steps, and it undermines the commander's responsibility for his or her troops. Under that proposal, almost all crimes—from forgery to sexual violence—are removed from a commander's purview. It does not bring that focus to the challenge we are facing. Our proposal does.

The other proposal detaches the commander from his or her unit, and it removes all responsibility. I do not want to remove the responsibility from a commander. We trust these people to watch our best and our brightest, our children and our grandchildren, as they go into battle. We need to trust them in this as well.

Senator MCCASKILL brings a wealth of experience to bear on this topic from her days as a prosecutor, and I believe we should all be listening to her. She mentioned in November that the other proposal was "seductively simple." I agree. I agree that its simplicity cloaks a host of very complex policy problems. She has invested a lot of time on this issue. She has explained the technical problems, and I echo her concerns.

But I would like to underline one critical point to my colleagues. Many of our problems with the other proposal might appear to be minor proce-

dural details. However, experience tells us that it is exactly these sorts of problems that can grind a justice system to a halt, and they can damage a legal system.

That was the case in 2007, when Congress, armed with the best of intentions, modified the rape statute. Those hasty changes disrupted the judicial process and compelled Congress to rewrite the language. Do you know what happened? It delayed justice.

So I urge my colleagues and anyone interested in completely revamping that military justice system, you need to be certain that all the questions are resolved and you need to be certain that the implementation will be bullet-proof because anything less means delayed justice or no justice at all for the victims.

I can go on and talk about the commission that brought forth their recommendations that the justice remain with the commanders. They did not say take it away from the commanders. And the makeup of that commission? Mostly civilian and mostly female.

I hope my colleagues will remember these things, look at the facts, look at how we truly can address the needs of the victims, truly find them justice. Support the McCaskill-Ayotte-Fischer proposal, and I would ask that you not support the Gillibrand proposal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, I yield 5 minutes to my friend from Arizona, Senator MCCAIN.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I thank the Senator from Missouri. I want to profusely thank her and Senator AYOTTE and Senator FISCHER for their leadership on this very difficult and emotional issue which obviously is very unpleasant and very controversial and understandably so. We are talking about the livelihood, the right to function as members of the military, of women in the military.

It is a vital issue because there should be no organization that is at the level of the United States military for providing an equal opportunity and equal protection under the law than the United States military. When these young men and women join the military, they do something very unique; that is, they are willing to put their lives on the line for the defense of this country.

Therefore, because of this unique aspect of their lives, that they are willing to serve for the benefit of the rest of us, there is also the responsibility of those who command them. That is unique as well. Those who command in the military may have to make the toughest decision of all and to send these young people into harm's way. No other—no other—person in American society, outside of the President of the United States, has that responsibility.

So what we are really talking about today here is, will we hold those commanders responsible for anything that

happens within their command or will we take that responsibility and shift it over to a lawyer? That is what this is really all about. Right now we have units operating in Afghanistan.

Frankly, according to the Gillibrand proposal, if there was a charge, we may have to try to find some way to fly a lawyer in. I do not think that is either likely or agreeable. But the major point here is that we hold commanders responsible for what happens under their command. If they do not carry out those duties, then we relieve them of that command. If they are responsible for egregious conduct, we prosecute them.

I have had the great honor of command. I have had the great honor of commanding, at that time, the largest squadron in the U.S. Navy, some 1,000 people. There were a large number of women in that organization, even then, because it was a shore-based squadron. Now we have women throughout—I am happy to say—throughout the military, including combat roles.

I can tell you that in those days we had severe racial problems in the United States military. We had race riots on aircraft carriers. We held commanders responsible. We punished those who practiced discrimination. We had people in our chain of command that alerted and were responsible for the indoctrination and the good conduct of people who in any way showed a taint of discrimination. I am happy to say that I believe that the greatest equal opportunity organization in America today is the United States military.

We can do that with this severe and difficult and emotional issue of sexual assaults in the military. The exact wrong way to do that is to make the commanding officer less responsible because if you take the responsibility from that commanding officer, then you are eroding his ability to lead and, I would argue, their ability to fight.

We have the finest commanders in our military. We have the finest men and women who are serving in the military. We are the best military in the world. There is a reason for it. As we bring people up the ladder of promotion to positions of command, they are tested time after time. I trust these commanders. I trust them.

With the provisions in the McCaskill bill as we have today, we will preserve that command authority, but we will also have significant increases in oversight and accountability. But to take away that responsibility from the men and women who command these people, these outstanding men and women, and give to it a lawyer is not the way to go.

I hope my colleagues understand it. I also would ask one other thing before this vote. If any of my colleagues knows a member of the military whom they respect, call them. Call them and ask them whether they would think this proposal of the Senator from New York is in any way helpful to the good functioning of the military and the

elimination of sexual assaults. We share the same goal. There are vastly different ways to achieve that goal.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. I yield 5 minutes to the Senator from Hawaii.

(Mrs. GILLIBRAND assumed the Chair.)

Ms. HIRONO. Madam President, I rise today in support of the Military Justice Improvement Act. I commend Senator GILLIBRAND for her outstanding work on this effort and all the survivors of sexual assault in the military who have courageously worked with us on this bill.

I also appreciate the bipartisan effort to stop military sexual assaults from happening. While we all do not agree on how to get there, I know that all of us want to stop this terrible scourge in our military.

Every few years, when interest in this topic picks up, it stays relevant for a while, the military leadership promises to stamp out sexual assault in the military, and says that zero tolerance is the policy in place. Unfortunately, despite all of the good faith actions taken by the department as well as Congress, we are still at 26,000 incidents of rape, sexual assault, and unwanted sexual contact in the military.

This bill has nothing to do with telling commanders they are fired or that they are morally bankrupt. They should continue to be held accountable for creating a command climate where sexual assaults do not occur or certainly not occur by the tens of thousands.

This bill is focused on the victims, the survivors of these crimes. When we listen to them, they are in support of the Gillibrand bill. We all agree that commanders are responsible for maintaining good order and discipline in their units. This includes creating an atmosphere of dignity and respect for everyone under their command.

Again, commanders must create an environment where sexual crimes do not occur. Our proposed changes to the military justice system do not absolve a commander of these responsibilities. It is still their job to prevent these crimes. It is still their job to maintain good order and discipline.

I have heard opponents of this legislation say that good order and discipline would be lost if the commander no longer has the court martial disposition authority. I disagree. This is similar to saying, a corporal, a sergeant or a junior officer in a unit would not act in a professional and orderly manner with respect to their O-6 commander, because the commander could no longer decide whether to proceed to trial for a rape or other felony-level offense. That does not make sense. The commander is still responsible for doling out punishment for insubordination or other negative behavior. The commander is still responsible for maintaining the kind of good order

and discipline and a command climate where these crimes not occur in the first place. Historically, when changes to the status quo are proposed—these include the integration of military units, opening military specialties to women, and allowing gays and lesbians to serve openly—a familiar refrain from senior military leadership to block such changes was to claim that the proposed changes would destroy good order and discipline.

By all accounts, I would say that these successful changes to military policies do not destroy good order and discipline. When these crimes do occur, survivors deserve the ability to seek justice. They deserve a chain of command that will take their claims seriously and take appropriate action. We have data that show that many victims do not come forward because they do not trust that the chain of command within the current system will act impartially.

They feel that they might suffer retaliatory actions and ultimately do not report the crime. This allows the perpetrator to go free and commit additional crimes. The Gillibrand bill will increase trust and confidence in the system and help the survivors seek justice. It is time to make fundamental changes to how sexual assault cases are handled in the military.

Senator GILLIBRAND's bill would be a big step in the right direction. Her amendment would take the decision to go forward with a trial out of the chain of command and place it in the hands of an experienced military lawyer. This change would improve the traditional process by increasing transparency, by increasing trust. It would also eliminate potential bias and conflicts of interest because unlike the commanding officer, the military lawyer would be unconnected to either the survivor or the accused.

I commend our colleagues once again, Senator GILLIBRAND and Senator MCCASKILL, for their tireless efforts to help survivors of sexual assault in the military. I would also commend Senator LEVIN, my Armed Services Committee colleagues, and many other Senators for working so hard on this difficult, painful issue.

We have instituted many positive changes in this area, but I urge my colleagues to take the next step and support the Gillibrand Military Justice Improvement Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I join my colleagues today in a discussion about an issue that I think we all would agree is an issue that really tears at the heart, causes great anguish, as we think that those who have volunteered to serve our great Nation, who have agreed to put themselves on the front lines, would be in a situation where they would be made a victim—made a victim of military sexual assault and be put into a situation where

they do not know where to turn, they do not know if it is safe to speak up, and they do not know how to respond.

Our military men and women, we are proud to say, are the most professional, the most highly trained and skilled and qualified. We will match them against any. Yet, when we face these very troubling and difficult issues of military sexual assault, it is an underside of the military culture that we have not been able to sufficiently address and eradicate.

The most recent report of the Defense Department Sexual Assault Prevention and Response Office, which covers 2012, speaks to the statistics. These statistics have been reported so frequently on the floor of the Senate. We know them. We share them. We really agonize over them. An estimated 26,000 cases of unwanted sexual contact and sexual assault occurred in fiscal year 2012, a 37 percent increase from fiscal year 2011.

Some 25 percent of women and 27 percent of men who received unwanted sexual contact indicated that the offender was someone within their military chain of command. Then, the statistics that really just go to the heart of what we are talking about here today: Across the services, 74 percent of females and 60 percent of males perceived one or more barriers to reporting the sexual assault; 50 percent of male victims stated that they did not report the crime because they believed nothing would be done.

They have been victimized once, and now they do not believe that anything will happen if they speak. They do not believe that anything will be done with their report. Some 62 percent of victims who reported a sexual assault indicated that they perceived some form of professional, social or administrative retaliation, retaliation from the system that they have been trained to trust, to be there for one another, and yet now fear retaliation.

This report was such an eye-opener for many of us. It certainly has galvanized the issue to address where we are today, to truly put on the front burner of this body, the issue of what has happened with military sexual assaults and what we can do to address it. It has remained on the front burner, thanks to the persistent efforts of the Senator from New York to keep it there. She has relentlessly pursued the vote that we will take today.

Regardless of the outcome, I think that she should take pride, I think we should all take pride in what we have collectively accomplished.

I also note the very fine work of my colleague from Missouri, Senator McCASKILL, and her efforts, along with Senator AYOTTE, Senator FISCHER, and the Presiding Officer, to bring this issue to a level where we have seen changes made already, but the question that remains is, is there more that can be done.

This Congress has significantly improved the system through amend-

ments to the military justice system that were included in the National Defense Authorization Act. The services have also done their part to improve ways to improve their sexual assault and prevention programs, such as making sure that a Naval Academy midshipman need not be driven across the State of Maryland searching for a hospital that has a sexual assault nurse examiner on duty.

In my State of Alaska, the headlines over the past year, as they related to military sexual assault within the ranks of our National Guard units, stunned us all. I recently received a further briefing from our adjutant general and folks within the Alaska National Guard in terms of what they too are doing to address, within their own system, the changes that are absolutely necessary.

But the question is whether these changes will move the needle on these statistics we have just recited. In my view, it remains to be seen. Will they give the victims more confidence in the system? Will they deter offenders by increasing the certainty that there is going to be accountability if these acts are taken?

Today the Senate considers the Military Justice Improvement Act, a measure that provides victims with the certainty they need to have confidence in the system. If they don't believe the system is going to be there for them, if they don't believe it is going to work for them, they are not going to report it. They will not expose themselves again.

As I said on the Senate floor before, this is strong medicine. It is very strong medicine to any offender who believes that the "good old boys" system will permit him to escape the consequence of his actions. In my judgment, enactment of the Military Justice Improvement Act will lead to greater consistency in charging decisions. This, again, is a very important aspect. It will ensure that those decisions are based on the facts, the law, and not any external factor. That too offers an increment of protection to victims as well as to the offenders.

The current system of military judgment relies upon the individual decisions of commanders as to whether an offense is to be punished and which charges are to be brought. We recognize we have a complex military and there are many commanders. While our code of military justice may be uniform, recent history suggests that its implementation is, unfortunately, anything but uniform.

Some have called the Gillibrand proposal a radical solution and one that will make it impossible to maintain good order and discipline in the military. I don't buy that. These were some of the statements that were made several years back when we were considering don't ask, don't tell about 3 years ago.

The military is proving it is resilient enough to implement culture change—

and that is what this will take, is culture change. I believe they are resilient enough to implement a change of this magnitude, and it will be resilient enough to implement the Military Justice Improvement Act.

It is not a radical and novel solution to a difficult problem. In fact, many of our allied modern militaries have moved the decision on whether to prosecute sexual assault outside of the chain of command. They have done it. I believe it is high time we do as well.

Again, I commend those who have led so nobly on this effort to make sure that when those fine men and women stand to serve our country, there is ensured a level of justice, a level of uniformity of justice, and that we no longer see the devastating statistics we have, unfortunately, been faced with for far too long.

I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from New York.

Mrs. GILLIBRAND. I ask that I be notified when 7 minutes remains.

The PRESIDING OFFICER. The Senator will be notified. The Senator has 4½ minutes remaining.

Mrs. GILLIBRAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. GILLIBRAND. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. GILLIBRAND. I ask to be notified when there is 2 minutes remaining.

All of the arguments we have heard today are technical arguments, arguments about why we can't possibly do this. But the victims and the survivors of sexual assault have been walking this Congress for more than 1 year, asking that we do something to protect them, to give them a hope for justice.

It is not whether anyone in this Chamber trusts the chain of command. The people who do not trust the chain of command are the victims. Even General Amos has admitted that. He said the reason why a female marine does not come forward is because she does not trust the chain of command, that breach of trust. That fundamental breach of trust has been broken for victims of sexual assault.

Listen to the victims. Retired Marine LCpl Jeremiah Arbogast was drugged. He was raped. He got his perpetrator to tell what happened on tape and went through trial. His perpetrator got no jail time. He saw no justice.

He said: "I joined the Marines in order to serve my country as an honorable man, instead I was thrown away like a piece of garbage."

He attempted suicide, severed his spine, and now advocates for this measure from a wheelchair.

Those are the stories we are hearing from victims over and over.

Sarah Plummer, U.S. Marine Corps, said having someone within your direct

chain of command handling this case doesn't make sense and is like "getting raped by your brother and having your father decide the case."

That is the view and the perception of the survivors.

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mrs. GILLIBRAND. I defer my remaining 2 minutes until after the Senator from Missouri.

Mrs. MCCASKILL. I yield 3 minutes to the Senator from New Hampshire, Senator AYOTTE.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. I thank the Senator from Missouri, and I thank the Senator from New York for her passionate and important debate. Let's not forget the work we have already done in the Defense authorization, ensuring that every victim will have his or her own attorney to represent their interests, taking commanders out of overturning verdicts, and making retaliation a crime. So we have done very important work.

But why are we here today? The issue is will more cases be prosecuted if we take it out of the chain of command?

Actually, no. There would be 93 cases under the current situation that wouldn't have been brought where commanders actually made a different decision than their military lawyer. What about those victims and those victims having their day in court? I want more victims to have their day in court.

As we think about it, why are we doing this? Some of our allies did it. We looked at that issue. Our allies haven't seen any greater reporting, so there is no evidence that we are going to have reporting. Many of them did it to protect defendants. We are here to protect victims today. We certainly want a system with due process, but this is about having more victims coming forward.

I also want to make sure people understand that under the system now they do not have to report to their commander. We had people come to the floor and say they shouldn't have to go to their boss. They can go to a sexual assault response coordinator, clergy, minister, civilian medical personnel. Already they can come forward if they don't feel comfortable coming forward to the commander.

No evidence has been presented that we are going to help victims more or that more cases will be prosecuted or more will come forward if we take it out of the chain of command. That is why I want to hold commanders more accountable, not less. That is what Senator MCCASKILL, Senator FISCHER, and I do in our proposal. We want to make sure they are not let off the hook. We want to make sure the victims can get not only justice but make sure they get swift justice. This proposal risks delaying that justice in the system.

I ask my colleagues to vote against Senator GILLIBRAND's proposal. I ask

my colleagues to say what will hold commanders more accountable. That is our proposal. I ask them to say where is the evidence that more evidence will be pursued or more cases will come forward. There is no evidence. Our proposal is based on the evidence.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Madam President, I will take a couple of moments at the close of this very difficult debate to express my deep respect to the Senator from New York, Mrs. GILLIBRAND.

While many aspects of this debate have been hard, perhaps the hardest part of this debate has been that this disagreement on policy has overshadowed the amazing work so many have done this year to enact a different day in the U.S. military when it comes to sexual assault and victims of sexual assault.

When the Sun sets today, this body will have passed 35 major reforms in less than 1 year, making the military the most friendly victims organization in the world, giving victims more power, more leverage, holding commanders accountable, and holding perpetrators accountable. It will eliminate the ridiculous notion that how well one flies a plane should have anything to do with whether they committed a crime, professionalizing the process so that victims no longer endure a ridiculous amount of inappropriate questioning at what should be something like a preliminary hearing to establish probable cause, as opposed to some kind of rendering of questioning, torture to a victim who has come out of the shadows and is willing to go forward.

I know I can speak with confidence for Senator GILLIBRAND that she and I have walked lockstep on those 35 reforms. We have disagreed on one. I know in the future she and I will work very hard together to make sure our military does the right thing by victims and puts perpetrators where they belong—in prison—and out of the ranks of the military where they stain the good name of the bravest men and women in the world.

I thank all of my colleagues for their patience during this debate. I know this has been tough for everyone. But I stand with years of experience, holding the hands and crying with victims, with many victims, who have spoken to me and other organizations, knowing that what we have done is right for victims and right to hold perpetrators accountable.

I respectfully request that people support our amendment today and reject the one area of policy on which the great Senator from New York and I disagree.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. I want the focus where it needs to be. This is not an opportunity to congratulate ourselves on

the great reforms we have done. All of the reforms we have passed today are meaningful and useful, but this problem isn't even close to being solved. Under the best-case scenario, 2 out of 10 cases are being reported today.

Let's refocus on what is actually happening in our military today. Let's focus on what U.S. Air Force veteran Ann Jessica Hines said:

Two days before the court hearing, his commander called me on a conference at the JAG office, and he said he didn't believe that he acted like a gentleman, but there wasn't a reason to prosecute.

She was speechless. She had been promised a court hearing, and she was told 2 days before the commander had stopped it.

Trina McDonald, U.S. Navy veteran, said:

At one point my attackers threw me in the Bering Sea and left me for dead in the hopes that they silenced me forever. They made it very clear that they would kill me if I ever spoke up or reported what they had done.

She did not report these attacks.

Continuing:

The people that were involved in my assaults were police personnel, security personnel, higher-ranking officers, the people that I would have to go and report.

Last but not least is Lt. Ariana Klay, U.S. Marine Corps. Her home was broken into by two colleagues and she was raped brutally. She ultimately reported the crime and attempted suicide. Her perpetrator was convicted—and convicted of what? Not breaking and entering, not rape—calling her a slut.

The thing that makes me most angry is not even the rape itself; it's the commanders that were complicit in covering up everything that happened.

CLOTURE MOTION

The PRESIDING OFFICER. All time for debate has expired.

Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1752, a bill to reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice, and for other purposes.

Harry Reid, Kirsten E. Gillibrand, Barbara Boxer, John D. Rockefeller IV, Tammy Baldwin, Benjamin L. Cardin, Patrick J. Leahy, Debbie Stabenow, Richard Blumenthal, Christopher A. Coons, Claire McCaskill, Jon Tester, Mark Begich, Barbara Mikulski, Maria Cantwell, Charles E. Schumer, Dianne Feinstein.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 1752, a bill to reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform

Code of Military Justice, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 59 Leg.]

YEAS—55

Baldwin	Grassley	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Paul
Blumenthal	Heinrich	Pryor
Booker	Heitkamp	Reid
Boxer	Heller	Rockefeller
Brown	Hirono	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Casey	Klobuchar	Shaheen
Collins	Landrieu	Stabenow
Coons	Leahy	Udall (CO)
Cruz	Markey	Udall (NM)
Donnelly	McConnell	Vitter
Durbin	Menendez	Walsh
Enzi	Merkley	Warren
Feinstein	Mikulski	Wyden
Franken	Moran	
Gillibrand	Murkowski	

NAYS—45

Alexander	Flake	Nelson
Ayotte	Graham	Portman
Barrasso	Hatch	Reed
Blunt	Hoeven	Risch
Boozman	Inhofe	Roberts
Burr	Isakson	Rubio
Carper	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shelby
Coburn	Kirk	Tester
Cochran	Lee	Thune
Corker	Levin	Toomey
Cornyn	Manchin	Warner
Crapo	McCain	Whitehouse
Fischer	McCaskill	Wicker

The PRESIDING OFFICER. On this vote the ayes are 55, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The bill is returned to the calendar.

VICTIMS PROTECTION ACT OF 2014

The PRESIDING OFFICER. Under the previous order, the clerk will report S. 1917.

The bill clerk read as follows:

A bill (S. 1917) to provide for additional enhancements of the sexual assault prevention and response activities of the Armed Forces.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion which has been filed at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1917, a bill to provide for additional enhancements of the sexual assault prevention and response activities of the Armed Services.

Harry Reid, Claire McCaskill, Kirsten E. Gillibrand, Tammy Baldwin, John D. Rockefeller IV, Benjamin L. Cardin, Patrick J. Leahy, Debbie Stabenow,

Richard Blumenthal, Christopher A. Coons, Barbara Mikulski, Barbara Boxer, Jon Tester, Mark Begich, Maria Cantwell, Charles E. Schumer, Dianne Feinstein.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, we expect this next vote will be the last rollcall vote until Monday.

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1917, a bill to provide for additional enhancements of the sexual assault prevention and response activities of the Armed Services.

Harry Reid, Claire McCaskill, Kirsten E. Gillibrand, Tammy Baldwin, John D. Rockefeller IV, Benjamin L. Cardin, Patrick J. Leahy, Debbie Stabenow, Richard Blumenthal, Christopher A. Coons, Barbara Mikulski, Barbara Boxer, Jon Tester, Mark Begich, Maria Cantwell, Charles E. Schumer, Dianne Feinstein.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 1917, a bill to provide for additional enhancements of the sexual assault prevention and response activities of the Armed Forces, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—100

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Crapo	Markey	Vitter
Cruz	McCain	Walsh
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

The PRESIDING OFFICER (Ms. WARREN). On this vote the yeas are 100, the nays are 0. Three-fifths of the Senators

duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

Mr. REID. Madam President, I ask unanimous consent that notwithstanding the previous order, the Senate vote on passage of S. 1917 at 5:30 p.m. on Monday, March 10, with all other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. REID. Madam President, I now ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 504, 513, 640, and 547, as provided under a previous order entered by this body.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF KATHRYN D. SULLIVAN TO BE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE

NOMINATION OF RHONDA K. SCHMIDTLEIN TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION

NOMINATION OF R. GIL KERLIKOWSKIE TO BE COMMISSIONER OF CUSTOMS, DEPARTMENT OF HOMELAND SECURITY

NOMINATION OF MICHAEL A. HAMMER TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHILE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The bill clerk read the nominations of Kathryn D. Sullivan, of Ohio, to be Under Secretary of Commerce for Oceans and Atmosphere; Rhonda K. Schmidlein, of Missouri, to be Member of the United States International Trade Commission; R. Gil Kerlikowskie, of the District of Columbia, to be Commissioner of Customs, Department of Homeland Security; Michael A. Hammer, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chile.

VOTE ON SULLIVAN NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote on the Sullivan nomination.

Mr. REID. Madam President, I yield back any time that is available.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Kathryn D. Sullivan, of Ohio, to be Under Secretary of Commerce for Oceans and Atmosphere?

The nomination was confirmed.

VOTE ON SCHMIDTLEIN NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote on the Schmidtlein nomination.

Who yields time?

Mr. REID. Madam President, I yield back all time that is available.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Rhonda K. Schmidtlein, of Missouri, to be a Member of the United States International Trade Commission?

The nomination was confirmed.

VOTE ON KERLIKOWSKA NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote on the Kerlikowska nomination.

Mr. REID. Madam President, I yield back all time that is available.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of R. Gil Kerlikowske, of the District of Columbia, to be Commissioner of Customs, Department of Homeland Security?

The nomination was confirmed.

VOTE ON HAMMER NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote on the Hammer nomination.

Mr. REID. Madam President, I yield back any time that is available.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Michael A. Hammer, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chile?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

VICTIMS PROTECTION ACT OF 2014—Continued

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Hawaii.

UNANIMOUS CONSENT REQUEST—S. 1821

Ms. HIRONO. Madam President, nearly 4 months ago the most powerful

storm on record struck the Philippines, killing 6,000 people and injuring 27,000 people. According to USAID, more than 4 million people were displaced, and one out of six people in the country was affected. Photographs show the immense destruction caused by Typhoon Haiyan. In some areas nearly all of the buildings were destroyed.

Today, because of the magnitude of the devastation, the Philippines has not yet recovered. It will take them a long time. Relief efforts continue. These efforts have been aided by direct assistance from the U.S. Government to the Philippines, one of our closest allies in Asia. Relief efforts have also been funded by charitable donations made by individuals in the United States. Many of these donations come from Filipino Americans in this country, part of the extensive diaspora here that is the foundation of the deep connections between the Philippines and the United States.

I am about to ask unanimous consent to pass legislation that will encourage people to continue donating to typhoon relief efforts in the Philippines. It has been 4 months since Typhoon Haiyan but help is still desperately needed. Four months is a virtual eternity of news cycles, and other crises in other parts of the world demand our attention. But we should not forget the immense human suffering caused by Typhoon Haiyan.

This legislation, S. 1821, would allow people who make donations after the date of enactment to deduct those donations from last year's taxes. In other words, they can reduce their 2013 tax bill by contributing now. It is a modest step, but it is one we should take.

This is bipartisan legislation, cosponsored by Senator HELLER. This legislation is also cosponsored by Senator MENENDEZ and the majority leader, Senator REID. I thank them for their support.

Identical bipartisan legislation has been introduced in the House of Representatives by Representatives Swalwell and Thompson. That bill has 35 cosponsors, including 9 Republicans: Representatives CALVERT, FRANKS, GRIMM, HECK, ISSA, MILLER, ROYCE, VALADAO, and YOUNG. I thank them for their support.

After the earthquake in Haiti in 2010, Congress passed nearly identical legislation to encourage donations to that country. That legislation passed by unanimous consent in the Senate. The Senate companion bill, S. 2936, had 40 cosponsors, 15 of whom were Republicans. They included Senators ALEXANDER, CORNYN, ENZI, GRASSLEY, HATCH, JOHANNES, ROBERTS, and THUNE. I hope the Senate will provide the same support to the Philippines that it provided to Haiti.

Madam President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 1821; that the Senate proceed to its immediate consideration; that the Hirono-Heller amendment,

which is at the desk, be agreed to; that the bill, as amended, be read a third time and passed; further, that upon passage, the bill be held at the desk, and that if the Senate receives from the House a bill, the text of which is identical to S. 1821, as passed by the Senate, the Senate proceed to its immediate consideration, the bill be read three times and passed, without any intervening action or debate; finally, that passage of the Senate bill be vitiated and the bill be indefinitely postponed, and all motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Alabama.

Mr. SESSIONS. Madam President, reserving the right to object, first, I commend the Senator from Hawaii for her work and her concern over the Philippines. That country has suffered dramatically from this typhoon. Having lived on the gulf coast and walked in the places where 18 feet of water from Hurricane Katrina flooded us, washed away whole structures, I can imagine what it was like to have lost 6,000 lives. And the country is hurting. It is a great country with great people. They are excellent allies of the United States. I am very sympathetic to their needs and appreciative of the Senator's efforts in seeking this way to further contributions for their relief.

The legislation has an emergency declaration in it. That requires going through the Budget Committee and requires other findings that I am not sure are available here. I think the legislation could be perhaps drafted slightly differently, I say to the Senator, that would avoid the emergency designation part, and maybe we could reach an accord to get this done quickly, as I know the Senator wants to move on it as soon as possible.

So, Madam President, I at this time say I will object. But our staffs will immediately begin to discuss if we can put this in a little slightly different way that would accomplish the Senator's goals without offending some of the budget niceties. Being the ranking Republican on the Budget Committee, I feel very, very strongly that when we make agreements about how we are going to spend money and how it should be processed, the more we erode those agreements and the more we spend above the amount of money we agreed to spend or get around the spending limits we ourselves passed into law, the more we place at risk the financial future of the country.

This is not the most costly measure. It is a step that would help the people in the Philippines, I know. But with that explanation, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Hawaii.

Ms. HIRONO. Madam President, I thank Senator SESSIONS very much for his agreement regarding the concerns we have for our friends in the Philippines, and I look forward to working

with the Senator to come up with a measure that will accomplish what my bill seeks to accomplish.

Mr. SESSIONS. Madam President, I thank the Senator, and I respect so much her effort in this cause and will do what we can to be cooperative.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Madam President, I have come to visit with you today and the Members of this body with some concerns I have about people who are being impacted by the health care law. By "impacted" I mean hurt. Their lives are being hurt as a result of the impact of the health care law. We are seeing it around the country. As people are trying to comply with the law, we are finding that many people are losing their jobs or part of their jobs if they are working part time—to be held under 30 hours a week because under that criteria, people working less than 30 hours a week do not have to be provided with health insurance.

We have seen stories around the country of municipalities, of public employees who are having their hours cut and as a result, obviously, their take-home pay is cut, their wages are cut as a result of the impact of the health care law, as communities try to comply with all the aspects of the law. We have seen it with police forces, with teachers, with coaches, busdrivers, custodians, cafeteria workers, office clerks, sanitation workers, emergency personnel, university faculty—people all around the country who are being hurt as a result of the law.

Members of the Senate come from my side of the aisle to read letters of folks who have been harmed by the health care law. The majority leader comes to the floor and says these stories are lies. These are stories from people at home to whom I talk on weekends. I will be this weekend in Buffalo, WY, at the health fair, having a chance to visit with folks who are from Wyoming who go to a health fair for low-cost blood screening; also go to visit booths that are there from the heart association, the cancer society, the diabetes association, all taking efforts to try to improve the quality of their life, the quality of their care, and the quality of their overall health.

It is interesting to hear from these people, because I do not think the President hears from them. When I hear the majority leader say the people who come to the floor to talk about them—that these stories are lies, it is calling the people of Wyoming who have honest concerns about the way their lives are being impacted by the health care law as being untruthful.

I have come to the floor with more letters today and to talk about some things. It does make me wonder, when the majority leader comes and says these things are not truthful if he is not hearing the stories from the police officers and the teachers, the coaches and the bus drivers, the custodians, the

cafeteria workers, the office clerks, the sanitation workers, the emergency personnel, the university faculty in States all around the country who have their lives impacted by the health care law.

What I do think is that other Senators, Senators who perhaps go home more often than the majority leader, Senators who maybe listen to their constituents more and read the letters, are seeing the damage that is being done by the health care law because the President is responding to their claims, their concerns, and to the point that the President himself has unilaterally delayed many components of the health care law.

These are the delays from 2013. Here is the calendar for the year. All of the X's are different days when there have been different delays. There have been dozens of delays as a result of the health care law impact on families across the country. I wish to read a couple of emails about the impact on lives of people in Wyoming.

This is from a gentleman from Casper, my hometown. I was there Monday. I will be there again tomorrow.

He writes:

My wife and I just received our new monthly premium information for our health insurance. As of March 1, 2014 it will go from \$505 a month to \$1,045 a month, an increase of over double. This is for a Bronze level plan with a high deductible and high out of pocket.

You know, I wish the President would actually kind of understand what the impact of this law has been on American families. I wish people who supported it, campaigned for it, would realize the impact on people's lives. He has gotten his premiums going from \$505 to over \$1,000, double increase, Bronze level plan, what the President wants people to have. It is the minimum level. It has a high deductible and a high out-of-pocket.

He said:

It is also the cheapest plan I have found so far for us that is available in Wyoming and complies with the ACA.

Because the law says this man needs a lot of insurance. Maybe he does not need it. The President does not know this man, does not know his life, does not know his history, does not know what he actually needs in terms of insurance. But the President claims and the Democrats who voted for this health care law believe they know better than this man what he needs.

But you know what we do find out, when he wants to comply with the law, his insurance premiums more than double, for the cheapest plan which has the highest deductible and the highest out-of-pocket.

He says:

This increase will mean that money we would probably have spent elsewhere will now need to be budgeted for the insurance increase.

We go across the State to Moran, WY. Another resident of Wyoming writes:

I am a resident of Wyoming and about half of my income comes from Social Security.

My benefits total \$958 a month. In addition to that, I work part time at a ranch. It is a seasonal job from May to October. I make about the same amount there as I do from Social Security. I have recently managed to submit an application for health care through the healthcare.gov Web site. The cost to me with my current income would be a low end of \$837 a month with a \$4,000 deductible. With the high end, it would be over \$1,300 a month with a \$1,000 deductible.

Neither of those amounts are possible with my income range. I would not be able to afford to live. Now I refigured this with only my Social Security income and found that it would be very affordable, lower deductible, lower premiums, but I wouldn't have the income. I could possibly afford that but would have to live in a very substandard poverty lifestyle by quitting working.

So he has these options: He can continue what he does, but he cannot afford the insurance, or he can get affordable insurance by quitting working but then cannot afford to live. This is what the President of the United States and the Democrats have given the people of America.

He said:

I would like to work and contribute as long as I'm able but things are looking pretty bleak for me.

This is a man who wants to work. This is a man who wants to work, but the health care law is making it a lot harder for him to do so. He said:

I am giving you this information in the hope that it will be of some value in combating the unfairness of the Affordable Care Act.

The unfairness of the Affordable Care Act. I have to believe that Senators on both sides of the aisle who actually go home and listen to their constituents hear about this, hear these stories, hear these stories all around the country, of the unfairness of the Affordable Care Act.

He then goes on and says:

Thank you so much for your service to your country and the great State of Wyoming.

So here we have dozens of delays—and this is last year. Now it has happened again. Just yesterday the President came up with another delay. It is interesting the way it has made the front page of the New York Times, a paper that has supported the President, supported the law, front page, above the fold, story by Robert Pear.

The Obama administration, grappling with continued political fallout over its health care law, said Wednesday that it would allow consumers to renew health insurance policies that did not comply with the new law for two more years—

This is the New York Times speaking, front page, above the fold. This is not me. But they are repeating the kind of things I have been saying.

pushing the issue well beyond this fall's mid-term elections.

So what is the idea here? Push it out beyond the elections, make people not see the reality and the danger and the damage that is coming their way until after they vote.

The article goes on, front page above the fold, today's New York Times:

The reprieve was the latest in a series of waivers, deadline extensions and unilateral actions by the administration—

Here you have them. This is just in 2013. Now we have more in 2014.

—unilateral actions by the administration that have drawn criticism from the law's opponents and supporters, many saying President Obama was testing the limits of his powers.

I believe that. I believe the President has gone way beyond the limits of his powers.

The action reflects the difficulties Mr. Obama—

The President of the United States, who told the American people, if they like what they have they can keep it; if they like their doctor, they can keep their doctor; who said insurance premiums would go down—all of which are untrue, one called the 'lie of the year.'

The action reflects the difficulties Mr. Obama has faced in trying to build support for the Affordable Care Act and the uproar over his promise—which he later acknowledged has been overstated—that people who liked their insurance plans could keep them, no matter what.

Over 5 million Americans got letters of cancellation, 3,500 in the State of Wyoming. A woman with a wonderful policy that worked for her, worked for her family, lost her insurance because it did not cover maternity care. She writes to me as a doctor and says:

Dr. BARRASSO, please explain to the President of the United States that I have had a hysterectomy. I don't need maternity coverage.

You would think the President would understand that. You would think the Democrats who shoved this health care law down the throats of the American people would understand that as well.

This is interesting. Still on the front page of this morning's New York Times:

Under pressure from Democratic candidates who are struggling to defend the President's signature domestic policy, Mr. Obama in November announced a one-year reprieve for insurance plans that did not meet the minimum coverage requirements of the 2010 health care law.

Wednesday's action goes much further, essentially stalling for two more years one of the central tenets of the much-debated law, which was supposed to eliminate what White House officials called substandard insurance and junk policies.

If this is what the President believes, why is he now coming out and having a delay announced—not coming to Congress, not saying: Hey, let's try to do something a little differently. Let me propose this. Let's have a bipartisan agreement to come up with some solutions to actually help people get what they wanted in the beginning with health care reform, the care they need from a doctor they choose at lower costs.

The letters I am reading show people not being able to do that. They are paying much higher rates for things they do not need, will never use. We are hearing from people all across the

country who are losing their doctor, can't keep their doctor, higher out-of-pocket costs.

We hear now the President wants to do some things unilaterally because a group of Democratic Senators who are up for reelection are worried about their political future, not about the future of the American people and the health care of the American people. That is why they are doing this.

You say: No, that seems like an exaggeration.

Well, let's go on. This next paragraph in the New York Times this morning:

The extension could help Democrats in tight midterm election races because it may avoid the cancellation of policies that would otherwise have occurred at the height of the political campaign season this fall.

So the cancellations are still going to happen, people are still going to continue to be hurt. We have over 5 million people who have gotten letters of cancellation. It is not saying: Oh, the cancellations are never going to happen. It is saying: It will push them out until after the election, so people will not be so irritated, angry, and aggravated at the Democrats who voted for it, in an effort to try to save their elections, try to save their Senate seats, but not to help the American people.

This goes on:

In announcing the new transition policy, the Department of Health and Human Services said it had been devised "in close consultation with members of Congress," and it gave credit to a number of Democrats in competitive races, including Senators Mary L. Landrieu of Louisiana, Jeanne Shaheen of New Hampshire and Mark Udall of Colorado.

So the reason that the White House goes time after time, all these delays, all this and that, is not to help the American people; it is not to help patients; it is not to help the providers of health care; it is not to help the taxpayers; it is to help a couple of Democratic Senators whom they name—whom the Secretary of Health and Human Services names as recipients of the help because the President is worried about Democrats losing elections this fall.

The Hill newspaper yesterday. "New ObamaCare delay to help midterm Dems." Not to help Americans, not to help the people from my State who write letters about the concerns of their lives, not to help all of those people about whom my colleagues and I continue to come to the floor with letters to tell their stories, to tell about their lives, to tell about the pain they are suffering because of the health care law.

It is not about the failed Web site. We all know the Web site. The President said: It will be as easy to use as Amazon, cheaper than your cell phone bill. You will be able to keep your doctor—several days before the Web site opened and crashed. No, it is more than about the Web site. It is about people's lives. It is about if they are able to keep their doctor. It is about cuts to Medicare Advantage and hurting our seniors who are having a harder time

getting doctors. It is about people paying higher premiums. It is about people having higher out-of-pocket costs, higher copays, higher deductibles. It is all of those things.

It is about hospitals in States that are not part of any of these exchanges, people in the communities cannot go there, they have to travel further distances. Nope, the President is not doing this for any of those reasons, not to help any of those people, he is doing it to help midterm Democrats because they are afraid they are going to lose their States, their majority, afraid they are going to be impacted and thrown out of office for absolutely reckless behavior on the part of a Congress that did not work in a bipartisan way, shoved the health care law down the throats of the American people in a way not to improve their lives, but to say that Congress knows better than people back home.

I am going to continue to come to the floor with letters and stories. I will be at the health fair in Buffalo, WY, on Saturday morning talking to folks in my community, seeing what they have to say about their lives, their families, their jobs, their wages, those of them who are losing jobs or losing hours as a result of the health care law, those who cannot afford new insurance under the exchanges even though they had insurance they liked—even though they did not like the price, it was cheaper than it is now. The President said it wasn't good enough for them.

I am going to continue to work for solutions to help patients all across this country have patient-centered care—not government-centered care or insurance company-centered care—to help patients get the care they need from a doctor they chose at lower cost—a complete failure by this administration and by this health care law.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARKEY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. MURPHY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I ask unanimous consent to be recognized for such time as I may consume.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for that purpose.

AFFORDABLE CARE ACT

Mr. MURPHY. Mr. President, we now are in about the sixth month of the implementation of the Affordable Care Act. We have over 11 million people who have received health care—who previously had not been able to receive it—either through the private exchanges, which have signed up 4 million people all across the country; through the expansion of Medicaid, which has reached millions more; or through all of the young people who are able to stay on their parents' plans until they are 26 years old.

Taxpayers are saving money. In fact, CBO has redone their estimates for the 10-year period after the passage of the Affordable Care Act to suggest that we are now going to save \$1.2 trillion on Federal health care spending, in large part because of the reforms in the Affordable Care Act.

Across this country millions of Americans who had been kept out of the ranks of the insured because of a preexisting condition now have access to health care, and tens of millions of seniors are paying less for their health care because they get checkups for free and they are able to access prescription drugs for 50 percent or less than the original cost when they reach that doughnut hole. So the Affordable Care Act is changing lives.

When you reorder one-sixth of the American economy, there are going to be bumps along the road. No one should come to the floor—even those of us who are the most vocal proponents of the law—and suggest there are not going to be some people who are not going to have the perfect experience. Of course there is no excuse for the way in which the Web site operated for the first several months. But it is time for proponents of this law to tell the real story, and the real story is that the Affordable Care Act is working. It is working for millions of Americans who now have access to health care. It is working for taxpayers who are spending less than ever before as you look at annual rates of growth in Federal health care spending.

Today and this week my colleagues and I are focusing on the benefits for one specific group of patients, one specific set of families all across this country, and those are patients and families dealing with cancer diagnoses.

So I will start this off—I will be joined later by Senator STABENOW and some of my other colleagues—and I want to talk first about a family in Indiana. I will talk about some families in Connecticut as well, but the Treinens have a story that is, frankly, not unique. They had insurance and they thought they had really good insurance. They didn't pay too much attention to the lifetime cap of \$1 million that was in their insurance policy because they just figured, as a relatively healthy family, there was no way they were ever going to spend \$1 million on health care over the course of their time on that insurance plan.

But as millions of families across this country know, cancer can interrupt your plans, and that is what happened to the Treinens. Their doctors diagnosed their teenage son Michael in 2007 with an aggressive form of leukemia. The treatment called for ten doses of chemotherapy that cost \$10,000 per dose. A 56-day stay in an Intensive Care Unit alone cost about \$400,000. So Michael and his family reached that \$1 million lifetime maximum in less than 1 year, and it was then left to this brave family to go out and raise money in solicitations in their neighborhood, in their community and all across the country, which miraculously allowed them to bring in \$865,000 in 6 days to keep their son's treatment going.

Needless to say, that avenue is not available to every family. But due to their ingenuity and their passion, the Treinens were able to raise almost \$1 million from private donors in order to keep their son's treatment going. But the story doesn't end well, however, for the Treinens. Even though money came in from all over the United States, and as far away as places such as Germany, Michael's cancer eventually stopped responding to chemotherapy and he died May 25, before he could receive the transplant they all hoped would save his life.

The reality is that insurance companies have been getting away with this practice for years—lifetime or annual limits that for 105 million Americans were preventing them from receiving care when they really got sick. That is what insurance really is supposed to be for. For those of us who buy insurance, we get it in the hopes that should we get very sick, that insurance plan will be there to help us. But with annual and lifetime limits, when people got really sick, especially with cancer diagnoses, that help wasn't there.

Tom Bocaccio, who is a retired police officer in Newington, CT, is still dealing with the consequences of lifetime caps. His wife past away after an 8-year struggle with adrenal cancer. After her death, the husband she left behind was saddled with a \$1.5 million bill because the Bocaccios, over that 8-year period of fighting cancer, had exceeded their lifetime cap. That changes Tom's life in a myriad of ways. He has lost his wife, and there is no way to describe the pain that comes with that, especially after that brave, courageous battle of almost a decade, but now his entire life is upended by the fact that he has a \$1.5 million bill he has to pay, and he doesn't have the resources to do that.

So first and foremost, for cancer patients all across this country, 105 million Americans no longer face lifetime limits on health care benefits. For cancer patients, not only does that deliver financial security, but it delivers mental and psychological security as well—to know in the midst of dealing with this diagnosis and all the pain that comes with confronting this disease head on, they do not also have to worry

about skimping on treatments, about cutting back on hospital stays that might harm the recovery or treatment of the patient simply because they are trying not to get above that annual or lifetime limit.

The benefits to cancer patients extend beyond just that protection on lifetime and annual limits. In addition, cancer patients are going to be able to keep their health care because of the ban on discrimination against families and individuals with preexisting conditions.

I have spoken about the Berger family many times on this floor. They are a family that explains exactly why we need this protection. The Berbers, from Meriden, CT, had a son who was diagnosed with cancer during the 2-week period in which the husband, through which the family had insurance, didn't have a job. He switched jobs, and during that 2-week period in which he was waiting to get insurance through his new job, their son was diagnosed with cancer. The new insurance policy decided it was a preexisting condition. The Berbers had to pay every dime of that treatment and they lost everything. They lost their savings, their home. Their lives were transformed because of the misfortune of having a cancer diagnosis at the wrong time.

No family anywhere in the country dealing with a cancer diagnosis will ever have to go through what the Berbers went through because here ever after the law of this land says that if you have a preexisting condition, you cannot be discriminated against.

There are all sorts of other benefits that matter, whether it be the fact you don't have to pay for preventive health care any longer so you can get a check-up without cost or clinical trials are now covered which many cancer patients enjoy the benefit of. Life changed for cancer patients and families dealing with cancer when the Affordable Care Act passed.

Senator STABENOW, myself, and others had a press conference earlier this week in which we heard the story of David Weis, a senior at Georgetown University who was diagnosed days before his 19th birthday with thyroid lymphatic cancer. David talks about the difference the Affordable Care Act makes for him, not only in financial terms but in terms of how he thinks about his future. David now can go out and get a job, search for and pursue a career based on what he wants to do with his life rather than based on what job will provide him with adequate benefits to treat his cancer should it reoccur.

I have a constituent who talks about it the same way. He was 14 when he was diagnosed with a form of leukemia. He went through treatment for over 3 years. His family now knows that with the Affordable Care Act—because he is only covered on his mom's policy until he is 26—after he ages out of his mom's plan, he will be able to pursue his dreams no matter what kind of insurance plan his prospective employer has.

What we have learned over the years is there is a connection between the mind and the body. If you are stressed out about things such as how you are going to pay for treatment of your disease, it does have an effect on your body's ability to fight that disease. Unfortunately, for millions of families dealing with cancer, their treatment has been restrained, their body's recovery has been curtailed because they are obsessively—and appropriately—always worried about what will happen if their insurance runs out.

The ACA says never again. No family will have to worry because that will be guaranteed, and discriminatory policies of annual and lifetime limits disappear.

I will end with the notion that it is important to remember every time our Republican friends come down to the floor and talk about how awful they believe the Affordable Care Act is, their proposal is to return cancer patients and families dealing with cancer back to the reality in which they had lifetime limits which ended their coverage—for this family I talked about from Indiana, after only several months—and they want to go back to the days in which families such as the Bergers lose everything, their savings, their home, because of a mistimed cancer diagnosis.

This week the House of Representatives voted for the 50th time to repeal all or part of the Affordable Care Act. I was a Member of that body for 6 years, and I probably participated in about 40 of those votes. Despite the fact I heard lots of my Republican friends come down to the floor and say: We are voting to repeal and replace, they never voted once to replace the Affordable Care Act because their agenda is not to replace it. Their agenda is simply to repeal it and go back to the days in which cancer patients were treated with this kind of carelessness.

Our colleagues on the Democratic side who voted for the Affordable Care Act understand there are places where it can be better. We understand there is a process of perfecting it. But we understand—because of families such as the Barrows, because of families such as the Weises, the Treinens, and the Bergers—for cancer patients and the families who love them, they know the ACA is working, and they know they never want to go back to the days in which their lives were put in jeopardy by a health care system which didn't work for them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I thank my friend and colleague from Connecticut for his passion and his wonderful advocacy for people who just want to know they have health care for themselves and their families, which is pretty basic. I thank Senator MURPHY for his vigilance, for speaking out and being here and talking about what is at stake.

There is an ad on TV which says something like: New car, \$30,000; new house, \$150,000; peace of mind, priceless. What we are talking about in terms of access to affordable health care, getting what you are paying for, knowing you can't get dropped just because you get sick, knowing your child with juvenile diabetes can get care even though it would be viewed as a preexisting condition, is peace of mind.

I can't imagine how scary it must be to sit in a doctor's office and have a doctor come in and say: You have cancer. You have leukemia. You have breast cancer. This is happening to people every single day, and there are many thoughts going through their minds at that time. At some point they will turn to the doctor and want to talk about: What kind of treatment do I need? Is it going to be covered? How do I get it? What is going to happen?

One in every eight women in America will develop invasive breast cancer during their lives. It is not a statistic. These are real women, such as my sister-in-law, such as many other people I know. They are our daughters, our sisters, our mothers. Men as well are being given diagnoses of breast cancer—our friends. They now have the peace of mind of knowing they are going to be able to get the care they need at an affordable price and they can't be dropped. There is no cap on how long they are going to be able to get treatment, and that is priceless.

I will share a true story about a cancer survivor whose life has been changed thanks to the Affordable Care Act. Her name is Chris G.

Chris found a lump in her breast. Every woman can imagine the thoughts which must have gone through Chris's mind. The fear must have been unimaginable. It was even worse for Chris because her husband lost his job and they didn't have insurance—the worst of all possible situations. Because she didn't have insurance, she couldn't see a doctor to get the tests she needed. Chris didn't ignore her lump. You can't ignore something like that. It is on your mind every single minute of every single day. But at that moment she didn't feel she could do anything about it because without insurance, if Chris went to a doctor, her breast cancer of course would count as a preexisting condition and then she would never be able to get insurance.

But now, thanks to the Affordable Care Act, Chris and millions of women like her can get the affordable insurance they need, and marketplaces where insurance companies now have to compete for her business give their best price for her business. These are good policies which cover treatment women need to beat cancer and survive. But before the Affordable Care Act, cancer would haunt these women for the rest of their lives as insurance companies labeled their survival a preexisting condition—no more.

Thanks to the ACA, millions of cancer survivors similar to Chris have

peace of mind—priceless. Thanks to the Affordable Care Act, millions of women have access to mammograms and other preventive services. Thanks to the Affordable Care Act, millions of women similar to Chris will never have to worry about annual or lifetime limits on their coverage, not being told: OK, cancer. You have eight visits. That is it. I hope it works. That is it. No more.

In fact, the ACA flips that around. It says cancer patients such as Chris will never be asked to spend more than a set amount of money in total on their treatment. Once they hit that number, the insurance company has to pick up the rest of the cost of the treatments. For women fighting cancer, this law is a lifesaver.

There are 7,000 women in my State of Michigan alone who will be newly diagnosed with breast cancer this year. This is why it is so important for women to get covered, to sign up before March 31, so they can have the health care they need this year. This is literally a lifesaving day on March 31.

Once you are covered, you get no-cost preventive services. So you can go in, get the checkup, get the mammogram, get other cancer screenings, and not have out-of-pocket costs. You get again the peace of mind of knowing you are not going to go broke because of health care. Even if you get diagnosed with cancer, it is not: Do I get the treatments I need for breast cancer or do I have a home for my family? Do I go bankrupt or do I try to survive through treatments? Those are not the choices available to women and families anymore, and there is access to your doctor instead of using the emergency room.

One of the fallacies of health care reform is this idea of somehow we ignore when people get sick and somehow we don't pay for it. Yet we all know people who don't have insurance use emergency rooms. I think it is interesting to note there is a proposal, in Georgia, where the Governor has said: The way to fix the problem with emergency rooms is to say you don't have to treat people. That is one way to do it, to say we are not going to treat people who are sick, who are in a car accident or have a heart attack.

The other way is through the Affordable Care Act, where we say: Instead of people using emergency rooms without insurance and then shifting all the costs onto everybody with insurance—which is what happens now—we pay for it. We all pay for it. Instead of that happening, we will set up a way for people to take personal responsibility for their health care and create a way to make it as affordable and competitive as possible. Then people will be able to go to their doctor instead of the emergency room and be able to get the treatment they need on an ongoing basis.

As women such as Chris can attest, cancer sneaks up on you. You can't predict it. You can't avoid it. This is not one of those events where you can

say just buck it up and don't get cancer. We don't want those costs, so just don't get sick.

We all know how ridiculous that is. Yet in some ways this is sort of what we keep hearing in some fashion.

The reality is you can't predict it. You can't avoid it. The only thing you can do is survive it, which millions of women are now doing who have access to the treatments and health care they need. This is why this new health care reform law is so important.

It is two things. It is health insurance reform, making sure those of us who have insurance are getting what we are paying for—as we have said before, can't get dropped, don't put artificial limits on the number of treatments. So it is insurance reform, so you are getting what you are paying for—what you thought you were paying for. It is also creating a way for more affordable insurance by creating a marketplace where insurance companies then have to bid for your business and provide you the best bid possible. We have competition to bring the costs down. I know for Chris, I know for women in my own family, and I know for people across Michigan, the peace of mind that comes with that is, in fact, priceless.

The debate on the other side is about taking that all away—not making it better, not fixing it. Medicare over the year has been improved. Medicaid has been improved. Social Security has been improved. Everything that is worth doing gets started and then has to be worked on to get improved. We are committed to doing that. But there are 50 votes now happening in the House to take it all away and to go back to saying good luck. If you are a woman, good luck. By the way, being a woman is probably viewed as being a preexisting condition. Trying to find insurance? Good luck. Good luck trying to get what you need from the insurance companies. Peace of mind is worth fighting for, and that is what the Affordable Care Act is all about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

SAVANNAH HARBOR EXPANSION PROJECT

Mr. CHAMBLISS. Mr. President, I rise today to discuss promises made and promises broken, of hypocrisy and politics, of the difference between the photo op speeches, press releases, and real action.

Let me start at the beginning, for those who are just joining us in this decade-and-a-half battle. The Panama Canal is about halfway through a \$5.25 billion expansion which will accommodate the larger post-Panamax vessels that are too large to transit the current Panama Canal. These new post-Panamax ships are the length of aircraft carriers. From the waterline they are 190 feet tall, or nearly twice the height of the Lincoln Memorial. The ships can carry as many as 12,000 containers, or translated into TVs, a million flat screen TVs.

Thus, the United States must be prepared to accept these larger vessels by 2015, when the Panama Canal expansion is complete. The Port of Savannah in Savannah, Georgia, is the second busiest U.S. container exporter, handling 13.2 million tons in exports in 2012 alone. It is the busiest port on the East Coast. In order to accommodate the new larger ships at the Port of Savannah, the Savannah river must be deepened from its current depth of 42 feet to 47 feet.

Georgia has been working on the Savannah Harbor Expansion Project for well in excess of a dozen years. Environmental studies have been completed, permits have been issued, and state funding has been secured for 40 percent of the project. It has the support of every Member of the Georgia congressional delegation and every single leader in our State, Republican as well as Democrat. This is a unifying bipartisan project for us, one that will support hundreds of thousands of jobs each year while generating billions of dollars in revenue for the entire southeastern United States.

Until recently we had the support of the Obama administration as well. After all, this is exactly the type of project the President has been touting as the secret to our economic recovery. He even included the Savannah Harbor Expansion Project as one of the four port projects in his 2012 “We Can't Wait” initiative.

Vice President BIDEN visited the Port of Savannah along with Senator ISAKSON, myself, and Transportation Secretary Anthony Foxx last year, and in comments while at the Port of Savannah to the public that was gathered, he stated: “We are going to get this done, come hell or high water.”

Acting U.S. Deputy Secretary of Commerce Rebecca Blank visited the port in 2012, calling SHEP a national bipartisan priority for this administration. Former Secretary of Transportation Ray LaHood visited the Port of Savannah in 2011 promising to find funding for the port expansion. In fact, in every conversation I have had with various administration officials since this project started in 1997, I have been assured that we would find a way to get this project done.

So you can see how confused I was to learn this week that the administration is now stonewalling us on this project by not including the project in its 2015 budget. It is baffling to see this administration choose to ignore a congressional statute passed just 6 weeks ago that cleared all remaining obstructions to moving forward with this project.

The Consolidated Appropriations Act of 2014 gave clear direction to the administration to begin construction on the SHEP project and to request the necessary funding. The administration's position as evidenced by the Office of Management and Budget is that they will ignore the clear guidance from Congress and will instead request

more funding for unnecessary additional studies this year. Apparently the administration would rather pay lip service to Georgians than deliver on their promises. The State of Georgia has done its part, and I commend Governor Deal and the Georgia legislature, who have committed \$265 million to start construction. We just need the Federal Government to get out of our way so Georgia can begin construction on this very vital project.

The administration can repair some of the damage that has been done by finalizing the agreement between the U.S. Army Corps of Engineers and the Georgia Ports Authority so that they can begin construction with State money that under the leadership of Governor Deal is now going to be available. Without any Federal funding at this point in time, the State is willing to move forward.

I urge the administration to move ahead with the securing of that agreement between the Army Corps of Engineers and the Ports Authority, and let's begin construction.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MARKEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

Mr. MARKEY. Madam President, I seek recognition to speak for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY

Mr. MARKEY. Madam President, we have now engaged in a debate over the last couple of weeks over whether we should begin to expand a massive exportation of American natural gas—our own natural gas—to put it out onto the world market as a way of helping Ukraine deal with Russia.

This whole notion is constantly being invoked, like an incantation—a talisman—that somehow or other this is some kind of a magic bullet that will help solve the problems in Ukraine. In fact, it really is nothing more than another aggregation encyclopedically of discredited notions, nostrums, that have no relationship to the reality of the global energy marketplace. These are actual arguments being made, false premises that do not, in fact, have any likelihood of having any substantial impact on the totality of the Ukrainian situation.

Let me give a few facts as a way of dealing with where we are right now. The United States has already approved five export terminals that could send 4 trillion cubic feet of natural gas abroad. How much natural gas is that? Let me tell my colleagues: It is more than twice what Ukraine uses in a year. The United States has already

committed to doing that. More than a quarter of all of the gas Europe imports in a year would be ascribable to the amount of natural gas the United States has already approved. It would be nearly as much as every single U.S. home uses yearly. That is how much natural gas is part of the already approved export terminals in this country.

The Department of Energy found that exporting 4.4 trillion cubic feet—a level we will reach within the next approved export terminal—could raise the price of domestic natural gas up to 54 percent. That could mean that American consumers would pay \$2.50 more per thousand cubic feet. That translates into—listen to this number, I say to my colleagues—a \$62 billion energy tax every year on American consumers and businesses.

What do I mean by energy tax? I mean that but for that exportation, consumers' bills, corporations' bills, would be \$62 billion lower per year over the next 10 years. Can we imagine the debate here in the Senate over increasing \$62 billion worth of taxes on Americans in one year? We would come to a standstill if we had that kind of debate. But because it is part of energy policy, people assume it is something that is outside the purview of what should be a great national debate which we are having.

Let me tell my colleagues, low-cost domestic natural gas has allowed the United States to add—let me say this—530,000 manufacturing jobs since 2010, according to Dow Chemical. If low prices continue, we could add 5 million more jobs in the manufacturing sector by 2020. Who says this? America's Energy Advantage. Who is in that organization? Dow, Alcoa, Nucor, and other major corporations. To what do they relate the manufacturing revival in our country? Low prices. Energy that gives them a reason to return the manufacturing jobs from overseas.

Except for the cost of labor, what is the single largest component in a manufacturing job? The cost of energy. The lower it is, the more likely the manufacturing company will have the jobs here in America. If we increase the price by 54 percent or more, which is what many people here are now proposing, we reduce the incentive for a manufacturer to create those new jobs here in the United States.

Let me give my colleagues another fact. Every dollar invested in domestic manufacturing creates \$8 in finished products. Manufacturing is at the heart of who we are as a country. This is something that right now is a discussion we should have in this country—the relationship between low-cost energy and the new manufacturing jobs we want to see. We can generate that economic value here in America, but if we send our natural gas overseas, that same kind of manufacturing future can be constructed in China. Let's have that debate here in our country.

Last month the U.S. chemical industry topped \$100 billion in new invest-

ments as a result of low-cost U.S. natural gas. According to the American Chemistry Council, those 148 new factories and expanded projects could generate \$81 billion per year in new chemical industry output and 637,000 new jobs in manufacturing here in the United States by the year 2023.

Now let's go to, in my opinion, some of the complete canards that are thrown out about where this natural gas will go if it is put out into the free market. First of all, let me say this: We are not Russia. We are not Venezuela. We are not a Communist country where the government controls where energy goes. No. We are a capitalist country. We are proud of it. The decision as to where natural gas is going to go is going to be made by the CEOs of oil and gas companies in our country, and they are going to send it to where they can get the highest dollar. Let me say this right now: The highest dollar is in China. The highest dollar is in South America. The highest dollar is not in Ukraine. So anyone who thinks that setting up these export terminals and sending our natural gas that could be helping our manufacturing sector overseas is going to help Ukraine's geopolitical situation doesn't understand the geo-economics of it, the geology of it, or the geopolitical implications of it. They have not thought through the totality of what happens when we take our precious resource and we start spreading it around the world.

Some are going to argue that it helps Ukraine. Well, it is going to help China more than it helps Ukraine. It is going to help South America more than it helps Ukraine. It is for sure going to help the CEOs of big oil and gas companies. That is what this debate is really going to be all about. Because we don't captain those ships. ExxonMobil has a tiller for those ships, and those ships are going to steer toward where the highest price is on the world marketplace. When those LNG tankers set sail for Asia or South America, we should know what else we are sending abroad on those ships. American jobs will be on those ships. They will be sailing to other countries. Fighting climate change is on those ships, because we will burn more coal here in the United States rather than natural gas, which has half of the pollutants of coal. We will be increasing the greenhouse gases the United States of America is sending up into the atmosphere.

When we are sending that natural gas overseas, we will be increasing the cost of a conversion of our large bus fleet and our large truck fleet over to natural gas as the fuel which makes it possible to drive them around our country. Here are the statistics. It is quite simple. If we move one-third of our fleet off of oil and on to natural gas as a way of fueling large buses and large trucks, then we back out 1 million barrels of oil—1 million barrels of oil—per day. That is a signal we should be sending to the Middle East. That is a signal

that we are serious, that we are tired of exporting young men and women overseas and getting nothing in return.

So let me summarize by saying this: No. 1, it is a \$62 billion consumer tax. No. 2, it slows our conversion from coal over to oil in our utility industry. No. 3, it slows the conversion of vehicles over to natural gas. No. 4, it slows our manufacturing revolution. No. 5, it slows our economic recovery. Our real strength is in our strong economy fueled by this low-cost oil and natural gas in our country.

We need a huge national debate in our country about the impact on our economy before we start putting it out on the high seas believing, erroneously, it is going to have some huge impact on Ukraine.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

UKRAINE

Mr. CARDIN. Madam President, Russia's invasion of Ukraine is one of the most serious breaches of the OSCE principles since the signing of the 1975 Helsinki Final Act. These principles are at the foundation of the Organization for Security and Cooperation in Europe. Russia, as a participating state, agreed to hold these principles, including territorial integrity of states, inviolability of frontiers, refraining from the threat of use of force, peaceful settlements of disputes, and others.

With this invasion, which is based, as Secretary Kerry has stated, on a completely trumped-up set of pretexts, Russia has shown its utter contempt for these core principles, indeed, for the entire OSCE process—not only the OSCE but the 1994 Budapest Memorandum signed by the United States, the United Kingdom, Russia, and Ukraine that provides security assurances for Ukraine, the 1997 Ukraine-Russia bilateral treaty, and the U.N. charter, and other international agreements. Russia's military invasion of Ukraine is also a gross violation of the Vienna Document's confidence and security building mechanisms which govern military relations and arms control.

So let's examine Vladimir Putin's justification for this unprovoked invasion. He claims there is a need to protect Russian interests and the rights of Russian-speaking minorities. They characterize it as a human rights protection mission that it clearly is not. Russian officials fail to show any real evidence that the rights of ethnic Russians in Crimea—where they actually constitute a majority and have the most clout politically—and Ukraine at large have been violated. In fact, there is overwhelming evidence that the protests in some Ukrainian cities is being stoked by the Russians.

Putin and other Russian officials make all sorts of unfounded accusations, including that masked militia are roaming the streets of Kiev, although the Ukrainian capital and most

of Ukraine has been calm for the last few weeks. Mr. Putin claims there is a “rampage of reactionary forces, nationalist and anti-Semitic forces going on in certain parts of Ukraine.” Yet Kiev’s chief rabbi and a vice president of the World Jewish Congress on Monday accused Russia of staging anti-Semitic provocations in Crimea.

Mr. Putin accuses Ukraine’s new legitimate transition government—not yet 2 weeks old—of threatening ethnic Russians. Yet there is a myriad of credible reports to the contrary. Indeed, although there has been unrest in some cities, there has been no serious movement in the mostly Russian-speaking eastern and southern regions to join with Russia.

The clear majority of Ukrainians wants to see their country remain unified and do not welcome Russian intervention. All Ukrainian religious groups have come out against the Russian intervention and stand in support of Ukraine’s territorial integrity and inviolability of its borders, as have minority groups such as the Crimean Tatars and the Roma.

I submit that the real threat posed by the new government is that it wants to assertively move Ukraine in the direction of political and economic reforms and in the direction of democracy, respect for how human rights, the rule of law—away from the unbridled corruption of the previous regime and the kind of autocratic rule found in today’s Russia.

As for protecting Russian interests in Crimea, the Russians have not produced one iota of evidence that the Russian Black Sea Fleet, based in the Crimean city of Sevastopol, is under any kind of threat. Indeed, when the Ukrainians reached out to the Russians to try to engage them peacefully, they have been rebuffed.

Russian authorities need to send their troops back to the barracks and instead engage through diplomacy, not the threat or use of force. The Russian actions pose a threat beyond Ukraine and threaten to destabilize neighboring states.

I pointed out at a hearing we had this week in the subcommittee of the Senate Foreign Relations Committee, and in a hearing of the Helsinki Commission, that if Russia can use force to try to change territories, what message does that send to the South China Sea, what message does that send to the Western Balkans?

Just as Poland has already invoked article 4 NATO consultations, the Baltic States and others in the region are wary of Russian goals.

As chairman of the Helsinki Commission and a former vice president of the OSCE Parliamentary Assembly, I am encouraged to see active and wide-ranging engagement of the OSCE to de-escalate tensions and to foster peace and security in Ukraine. The OSCE has the tools to address concerns with regard to security on the ground in Crimea, minority rights, and with regard

to preparations for this democratic transition to lead to free and fair elections.

In response to a request by the Ukrainian Government, 18 OSCE participating states, including the United States, are sending 35 unarmed military personnel to Ukraine. This is taking place under the Vienna Document, which allows for voluntary hosting of visits to dispel concerns about unusual military activities.

Various OSCE institutions are activating, at the request of the Ukrainian Government, including the OSCE’s human rights office, known as the ODIHR, to provide human rights monitoring as well as election observation for the May 25 Presidential elections. The OSCE High Commissioner on National Minorities, Representative on Freedom of the Media, and the head of the Strategic Police Matters Unit, among others, are all in Kiev this week conducting factfinding missions. A full-scale, long-term OSCE Monitoring Mission is being proposed, and this mission needs to go forward.

All of these OSCE efforts are aimed at deescalating tensions, fostering peace and stability, ensuring the observance of OSCE principles, including the human dimension, helping Ukraine in its transition, especially in the runup to the May elections.

These OSCE on-the-ground efforts are being thwarted by the Russian-controlled newly installed Crimean authorities. The OSCE Unusual Military Activities observers have been stopped from entering Crimea by unidentified men in military fatigues.

Also, the OSCE Media Freedom Representative and her staff were temporarily blocked from leaving a hotel in Crimea where she was meeting with journalists and civil society activists. The U.N. special envoy was accosted by unidentified gunmen after visiting a naval headquarters in the Sevastopol.

The blocking of international monitors—who were invited by the Ukrainian Government and who clearly are trying to seek peaceful resolutions to the conflict—is completely unacceptable and we should hold Russia responsible for their safety.

Russia is a member of the OSCE—one of the founding members—and they are openly violating the core principles of the Helsinki Final Act. Russia signed on to the institutions that are available under OSCE for this exact type of circumstance—to give independent observation as to what is happening on the ground. Sending this mission, at the request of the host country, into Crimea is exactly the commitments made to reduce tensions in OSCE states, and Russia is blocking the use of that mechanism.

The United States and the international community are deploying wide-ranging resources to contain and roll back Russia’s aggression and to assist Ukraine’s transition to a democratic, secure, and prosperous country. Both the Executive and the Congress

are working around the clock on this. President Obama has taken concrete action and made concrete recommendations.

As the author of the Magnitsky Act, I welcome the White House sanctions announced today, including visa restrictions on officials and individuals threatening Ukraine’s sovereignty and territorial integrity and financial sanctions against those “responsible for activities undermining democratic processes or institutions in Ukraine.”

It was just a little while ago that we passed the Magnitsky Act. We did that in response to gross human rights violations within Russia against an individual named Sergei Magnitsky. What we did is say that those who were responsible for these gross violations of internationally recognized rules should be held accountable, and if they are not held accountable, the least we can do in the United States is not give them safe haven in our country, not allow the corrupt dollars they have earned to be housed in America—no visas, no use of our banking system. The President is taking a similar action against those responsible for the invasion and military use against international rules in Ukraine.

These steps are in addition to many other actions, including the suspension of bilateral discussions with Russia on trade and investment, stopping United States-Russia military-to-military engagement, and suspending preparations for the June G8 summit in Sochi. Both Chambers are working expeditiously on legislation to help Ukraine in this delicate period of transition. We also need to work expeditiously with our European friends and allies, and I am encouraged by the news that the EU is preparing a \$15 billion aid package.

Ukraine has exercised amazing restraint in not escalating the conflict, particularly in Crimea. I applaud their restraint and their action. The people of Ukraine have suffered an incredibly difficult history, and over the last century they have been subjected to two World Wars, 70 years of Soviet domination, including Stalin’s genocidal famine. They certainly do not need another senseless war. Nothing justifies Russia’s aggression—nothing. Our political and economic assistance at this time would be a testament to those who died at the Maidan just 2 weeks ago and a concrete manifestation that our words mean something and that we do indeed stand by the people of Ukraine as they make their historic choice for freedom, democracy, and a better life.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

MANUFACTURING INNOVATION HUBS

Mr. COONS. Madam President, I come to the floor once again to talk about good jobs—about manufacturing jobs—and about what we can do together in this Chamber to strengthen

the vital manufacturing sector of the American economy.

Last year, Democratic Senator SHERROD BROWN and Republican Senator ROY BLUNT came together in a bipartisan effort to cosponsor an important bill, S. 1468, the Revitalize American Manufacturing and Innovation Act of 2013—an effort to build a national network for manufacturing and innovation, also known as manufacturing innovation hubs.

This bill, if enacted, would allow us to build institutes across our country dedicated to discovering the next breakthroughs in technology and translating them to the next breakthroughs in manufacturing. I have been proud to support and fight for this bill, and now, because of my colleagues' leadership and determination, we are close to getting a vote.

We have heard about the importance of these innovation hubs for manufacturing before. Last year two hubs opened—one in Youngstown, OH, and another in Raleigh, NC. Just last week I was thrilled to hear about two more opening—one in Detroit and another in Chicago.

These hubs are good first steps, but they are being done by the executive branch, without express and explicit authorization for a whole and broader program through this bill, which would extend this national network, would make its life longer and greater, and give more specific details to the process by which they would be authorized going forward.

It is my hope, having already seen several demonstrations on a more modest scale, this Congress will come together in a bipartisan way and enact this legislation to put a framework in place for the long term.

These hubs, as I said, are good first steps, but we in Congress can and should do more. In my home State of Delaware we are blessed to have some remarkable institutions of higher learning: Delaware State University, led by the great President Dr. Harry Williams; the University of Delaware—both research institutions which benefit from federally funded research and both of which do work in energy and engineering, relevant to manufacturing. We also have Del Tech—Delaware Technical & Community College—which does great workforce training and partners with manufacturers. We also have a whole series of manufacturers, large and small; some iconic companies such as DuPont, some unknown outside my State that employ dozens or hundreds.

What a manufacturing hub would do is bring together a university that is doing cutting-edge research in a new field with companies looking to start manufacturing using that technology, with those community colleges and others who would train the new workforce, creating a network that would do the innovative work in an iterative way that would accelerate new manufacturing opportunities.

The reason this bill has such a diverse set of bipartisan backers—from Democrats such as SHERROD BROWN, DEBBIE STABENOW, and myself, to Republicans such as ROY BLUNT, LINDSEY GRAHAM, and MARK KIRK—is because these hubs represent a great example of how the Federal Government can help foster partnerships between businesses, universities, and communities in a hands-off way.

As to these first four hubs I mentioned, in these instances, the Federal Government is also getting terrific leverage. There is a more than 1-to-1 match from private, State, and local partnerships in these existing hubs—partnerships, I might add, that have national reach, giving the hubs the potential to benefit not just their immediate regions or their immediate communities but the whole country.

General Dynamics and Honeywell, for example, are two of the partner companies in the Youngstown, OH, lab. They have footprints all across our country. At the hub in Raleigh, NC, researchers from other universities—such as Arizona State and Florida State—are collaborators as well, contributing their knowledge to the great work of these hubs and then also bringing back to their labs and their communities what is being learned through this common collaborative work.

So the Youngstown and Raleigh hubs—now well established—are about more than just those two cities, and the hubs in Detroit and Chicago will be about more than just Michigan and Illinois, and the hubs we would create, we would authorize, through this bill would be about more than just the cities or States in which they are based.

By bringing together such a wide-ranging and diverse set of partners, hubs allow many different stakeholders to pool their resources, minimizing the risks of investing in the early stage research that is critical to innovation but not feasible for one company alone to invest in.

It is about the private sector coming together with the university and public sectors to solve tough problems without just one firm bearing all the risk or the burden. R&D—research and development—as we know, is critical to our economic future. These hubs offer an innovative model for increasing our national capacity for invention.

The Federal Government acts as a convener for private firms, nonprofits, universities, and researchers, creating an environment where they can all do what they do best and share it. This idea transcends ideology or party. That is why I think Members of both parties should feel comfortable getting behind this bill. It has been endorsed by folks ranging from the National Association of Manufacturers to the Bio, which represents the bio and pharmaceutical community, and folks in the private sector and public sector in my own State and in States across the country.

Manufacturing is at the heart of what can and should make this country

competitive and prosperous in this century. At the end of the day, this is about creating good jobs. Manufacturing jobs are high-quality jobs. It has a significant secondary benefit in the community as well as having higher wages and benefits than jobs in any other sector.

If we are looking for the key to a dynamic innovation economy, we need to look no further than manufacturers. They invest more in R&D than any other private sector within the country. When we think of manufacturing and innovation today, we often picture researchers in the United States inventing things and manufacturing factories overseas. But that is not how sophisticated, advanced manufacturing innovation works anymore. The reality is that innovation is just not linear. R&D and manufacturing need to be closer together. It does not just start in the lab and then get sent to a factory and then to a store and your home. More often R&D results in innovations that improve the products already in our home, that improve the manufacturing process to discover better ways to make things faster, more safely, more efficiently, and that innovative cycle can speed up the more closely connected and articulated it is.

By creating these manufacturing innovation hubs, all of which focus on a specific sector or industry, we can help fuel the discoveries that will make manufacturing a critical part of our long-term economic future, while ensuring that the discoveries that change our world are made here in America and the products that come out of them are manufactured here in America.

These hubs focus on emerging areas where there is enormous potential. For example, the hub in Youngstown, OH, is focused on 3D printing, which already has the potential to transform how manufacturing, large-scale and small-scale, is done not just in the United States but around the world. We believe—I certainly believe we should continue to be at the cutting edge of developing and deploying what 3D printing has to offer.

The one in Raleigh, NC, is about wide bandgap semiconductors or energy-efficient electronics and will likely dominate much of the next generation of electronics. Again, why would we not want to be on the ground for not just the inventing of new technologies but demonstrating how to manufacture them?

In Detroit, researchers and businesses and universities and other stakeholders in this newest hub will work together on advanced lightweight materials, on remarkable metals that are stronger, more durable, more ductile, and more lightweight than other existing materials, with applications, of course, in automobiles but across a very wide range of products and platforms.

Lastly, in Chicago, small businesses, universities, and larger companies are

working together on some remarkable advances that speed up the whole manufacturing process so new ideas can go from the lab to your home faster than ever before.

Hubs such as these are central to our competitiveness because it is not just about the work happening at the lab or the institute itself; it is about how they then attract companies with a national reach to an area that is capable of building sustainable and dynamic local economies. It is about bringing researchers and manufacturers together to spur innovation, commercialize R&D, and create good jobs that do not go somewhere else. It is about the larger impact for our communities and our country, as innovation breeds new supply chains and new businesses locally and across our country.

Today's global economy is more competitive than it has ever been. We are competing not just with developing countries that have lower labor and environmental standards or lower wages but also with developed nations that are trying to out-educate, out-research, and out-innovate us. Germany, for example, has a well-developed, well-established, well-deployed network of more than 60 manufacturing innovation hubs exactly like the ones I have just described. It also has fairly high labor and environmental standards but is the manufacturing powerhouse of Europe. It has nearly double the percentage of its GDP in manufacturing as the United States. How are they able to do this? How can they sustain these high levels of manufacturing? It is in no small part because of the manufacturing innovation hubs they have developed and deployed.

So let's get this done. There is absolutely no reason that the season of governing and of legislating here in Washington needs to be over, especially when there is so much important work to do—work that I know we can and should get done on a bipartisan basis. Senators BROWN and BLUNT have done great work and shown strong leadership in developing this bill, refining this bill, and getting it to this point.

Let's show that we can come together in areas where we do agree and put campaigns and politics aside for now and put American jobs and American innovation first.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH.) The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF CAROLYN B. MCHUGH TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH DISTRICT

Mr. REID. I now move to proceed to executive session to consider Calendar No. 563.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Carolyn B. McHugh, of Utah, to be United States District Judge for the Tenth Circuit.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Carolyn B. McHugh, of Utah, to be United States Circuit Judge for the Tenth Circuit.

Harry Reid, Patrick J. Leahy, Carl Levin, Richard J. Durbin, Barbara Boxer, Debbie Stabenow, Charles E. Schumer, Patty Murray, Jeanne Shaheen, Amy Klobuchar, Tom Udall, Sheldon Whitehouse, Mazie Hirono, Joe Donnelly, Jack Reed, Brian Schatz, Tom Harkin.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF MATTHEW FREDERICK LEITMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

Mr. REID. I move to proceed to executive session to consider Calendar No. 577.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Matthew Frederick Leitman, of Michigan, to be United States District Judge for the Eastern District of Michigan.

CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk, Mr. President.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Matthew Frederick Leitman, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Harry Reid, Patrick J. Leahy, Carl Levin, Richard J. Durbin, Barbara Boxer, Debbie Stabenow, Charles E. Schumer, Patty Murray, Jeanne Shaheen, Amy Klobuchar, Tom Udall, Sheldon Whitehouse, Mazie K. Hirono, Joe Donnelly, Jack Reed, Brian Schatz, Tom Harkin.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF JUDITH ELLEN LEVY TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER. I move to proceed to executive session to consider Calendar No. 578.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Judith Ellen Levy, of Michigan, to be United States District Judge for the Eastern District of Michigan.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Judith Ellen Levy, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Harry Reid, Patrick J. Leahy, Carl Levin, Richard J. Durbin, Barbara Boxer, Debbie Stabenow, Charles E. Schumer, Patty Murray, Jeanne Shaheen, Amy Klobuchar, Tom Udall, Sheldon Whitehouse, Mazie K. Hirono, Joe Donnelly, Jack Reed, Brian Schatz, Tom Harkin.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

NOMINATION OF LAURIE J. MICHELSON TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

Mr. REID. I now move to proceed to executive session to consider Calendar No. 579.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Laurie J. Michelson, of Michigan, to be United States District Judge for the Eastern District of Michigan.

CLOTURE MOTION

Mr. REID. There is a cloture motion at the desk I wish to have reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Laurie J. Michelson, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Harry Reid, Patrick J. Leahy, Carl Levin, Richard J. Durbin, Barbara Boxer, Debbie Stabenow, Charles E. Schumer, Patty Murray, Jeanne Shaheen, Amy Klobuchar, Tom Udall, Sheldon Whitehouse, Mazie Hirono, Joe Donnelly, Jack Reed, Brian Schatz, Tom Harkin.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

LINDA VIVIANNE PARKER TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

Mr. REID. I move to proceed to executive session to consider Calendar No. 580.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Linda Vivienne Parker, of Michigan, to be United States District Judge for the Eastern District of Michigan.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Linda Vivienne Parker, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Harry Reid, Patrick J. Leahy, Carl Levin, Richard J. Durbin, Barbara Boxer, Debbie Stabenow, Charles E. Schumer, Patty Murray, Jeanne Shaheen, Amy Klobuchar, Tom Udall, Sheldon Whitehouse, Mazie K. Hirono, Joe Donnelly, Jack Reed, Brian Schatz, Tom Harkin.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

INTERNATIONAL WOMEN'S DAY

Mr. CARDIN. Mr. President, March 8 is International Women's Day—a day when we can celebrate the enormous advances women have made while pledging to continue to work for greater opportunity for all women.

Rooted in the long-term struggle for equality, International Women's Day has been observed since a time when American women were fighting for basic rights, such as voting or fair employment. Today, we see women breaking ground and becoming leaders in business, government, and the military—both here in the United States and overseas. While this is encouraging, many women around the world continue to face significant social and economic obstacles.

The official United Nations theme for this International Women's Day is "Equality for women is progress for all." I couldn't agree more; empowering women is one of the most critical tools in our toolbox to fight poverty and injustice.

According to some reports, women represent nearly 70 percent of the world's poor. In many regions of the

world, a woman's ability to earn a sustained income is severely limited by cultural norms and a lack of opportunity.

Economically empowering women is one of the most important tools we have to alleviate poverty. Women around the world participate in the political, social, and economic life of their communities and play a predominate role in providing and caring for their families. Research has shown that men only reinvest 30–40 percent of their income into their households, while women reinvest 90 percent—choosing to spend their money on food, clean water, education and health care. Greater economic opportunity and earning capacity also increases equality and mutual respect within households, reducing women's vulnerability to domestic abuse.

Until women around the world have improved access to economic, political, and social opportunities, many of the great challenges we face today, from pervasive global poverty to violent extremism, will go unresolved.

We must continue to promote women's leadership and integrate gender perspectives in our development and foreign assistance programs. Advancing gender equality and women's empowerment in this realm will not only lead to increased productivity and income for women but can have a positive impact for generations to come.

I urge all my colleagues to work together to call attention to the injustices women face around the world and to work to implement laws and policies that advance the cause of women both at home and abroad.

DEAMONTE DRIVER'S PASSING

Mr. CARDIN. Mr. President, today I rise to mark the seventh anniversary of Deamonte Driver's death.

Deamonte Driver was a 12-year-old child who lived in Prince George's County, MD, whose border sits only a few miles from the U.S. Capitol Building. He died 7 years ago at the Children's National Medical Center in Washington, DC, from a brain infection caused by an untreated tooth abscess.

The Driver family, like many other families across the country, lacked dental insurance. At one time, the Drivers were covered by the Medicaid Program, but they lost that coverage when they moved into a shelter and their paperwork fell through the cracks. When advocates for the family tried to help the Drivers locate a dentist to treat Deamonte's cavities and tooth pain, it took more than 20 calls to find a dentist who would see him.

Around mid-January in 2007, Deamonte began to complain of severe headaches. A subsequent evaluation at Children's Hospital led beyond the basic dental care that the family had anticipated to emergency brain surgery. Deamonte later experienced seizures, and a second operation was required. After additional treatment and

therapy, Deamonte appeared to be recovering, but medical intervention had come too late. By the end of his treatment, the total cost to our health care system exceeded one-quarter of a million dollars—more than 3,000 times the \$80 cost of a tooth extraction.

Deamonte Driver passed away on Sunday, February 25, 2007. This child's death was a national tragedy because it could have been prevented had he received timely and proper basic dental care. It was a tragedy because it happened right here in the United States, in a State that is one of the most affluent in the Nation. It happened in the State that is home to the first and one of the best dental schools in the Nation, the University of Maryland's dental school. It happened in Prince George's County, whose border is less than 6 miles from where we are standing in the U.S. Capitol.

I have spoken on the Senate floor about Deamonte Driver several times since his death, and in the intervening years, both in Maryland and nationally, we have made tremendous progress. When Deamonte's story was brought to light, I believe it was a wakeup call for our Nation. It brought home the statement of former Surgeon General C. Everett Koop: "There is no health without oral health."

Medical research reinforces Dr. Koop's words. Scientists have discovered the nexus between tooth plaque and heart disease, that chewing stimulates brain cell growth, and that gum disease can signal diabetes, liver ailments, and hormone imbalances. They have identified the vital connection between oral health research and advanced treatments like gene therapy, which can help patients with chronic renal failure. They have found that investing in basic dental care for children and adults can reduce health care expenditures down the road for costly medical interventions related to other diseases.

But for all their research findings, we also know that without insurance coverage and adequate access to providers, the needs of millions of children and adults will remain unmet, and the complications resulting from poor oral health will persist.

That is why the progress we have made over the past 7 years is so important to America's health. I have come to the floor today to talk about what has been achieved and how we can move forward as a nation to ensure even greater access to oral health care.

Since Deamonte's passing, the State of Maryland has emerged as a national leader in oral health—launching a \$1.2 million oral health literacy campaign, raising Medicaid reimbursement rates for dentists in the program, and providing allied health professionals and hygienists the opportunity to practice outside clinics. The Deamonte Driver Dental Project Van, which was dedicated in front of the U.S. Capitol in May 2010, provides care in underserved neighborhoods in Prince George's

County, thanks to efforts conceived and launched by members of the Robert T. Freeman Dental Society. An arm of the National Dental Association, the society is named for Dr. Robert Tanner Freeman, who in 1869 became the first Black graduate of the Harvard School of Dental Medicine.

It was 2 years after Deamonte's death, in 2009, that Congress reauthorized the Children's Health Insurance Program. Some of my colleagues recalled the difficulty that Deamonte's mother had finding him care. Hers was not an isolated instance. For varied reasons, it is difficult for Medicaid and CHIP enrollees to find dental providers, and working parents whose children qualify for those programs are likely to be employed at jobs where they can't afford to spend 2 hours a day on the phone searching for a provider. So part of the CHIP Reauthorization Act requires HHS to include on its Insure Kids Now Web site a list of participating dentists and benefit information for all 50 States and the District of Columbia.

Also in 2009, Congress passed the Edward M. Kennedy Serve America Act, which created the Healthy Futures Corps—a program that provides grants to States and nonprofit organizations so they can fund national service in low-income communities. The law's goal was to put into action key tools that can help close the gaps in health status—prevention and health promotion. With the help of Senator MIKULSKI, we added language to that law specifying oral health as an area of focus. Now, the Healthy Futures Corps is recruiting young people to work in the dental profession, where severe shortages of providers exist in many urban and rural communities. The law is funding the work of individuals who can help parents find oral health care for themselves and their children. It is making a difference in the lives of the Healthy Futures Corps members who work in underserved communities and in the lives and health of those who can now get care.

Then in 2010, Congress passed the Affordable Care Act, which guarantees pediatric dental coverage as part of each State's Essential Benefits health care package. The ACA also established an oral health care prevention education campaign at the Centers for Disease Control and Prevention, which is targeted toward key populations, including children and pregnant women, and it created demonstration programs to encourage innovation in oral health delivery. The law also significantly expanded workforce training programs for oral health professionals.

Moving forward, the States have a critical role to play in ensuring that the ACA benefit is designed to incentivize prevention, recognize that some children have greater risk of dental disease than others, and deliver care based on their level of risk.

Among the most cost-effective ways to improve children's dental health are

investments in prevention. Dental sealants, clear plastic coatings applied to the chewing surface of molars, have been proven to prevent 60 percent of tooth decay at one-third the cost of filling a cavity. So it is essential that prevention be part of every State's benefit package.

Further, in 2010, the U.S. Department of Health and Human Services launched its Oral Health Initiative, based on a bill I introduced with Senator SUSAN COLLINS. The initiative establishes a coordinated multiagency effort to improve access to care across the Nation.

One of the most effective organizations in tracking access to care is the Pew Children's Dental Campaign, which produces report cards that grade the States on eight policies that are evidence-based solutions to the problem of tooth decay. In 2011, Maryland received an "A" grade in both reports for meeting or exceeding these benchmarks, which include dental sealant programs, community water fluoridation, Medicaid reimbursement and enrollment, and collection of data on children's dental health. Maryland's grade is significant because in the late 1990s, my State had one of the worst records in the Nation with respect to oral health care for its underserved population. Now it is one of the top-ranked States for oral health care.

Our State has just received even more good news. The number of children in Maryland with untreated tooth decay dropped 41 percent from 2001 to 2011, and the overall oral health status of Maryland children has dramatically improved, according to a 2014 report conducted by the University of Maryland's School of Dentistry. The State assessment looked at 1,723 students in 52 schools from the five regions of the State. About 33 percent of the children had at least one dental sealant on their permanent first molars, and this milestone exceeded Federal goals by 5 percent. About 14 percent of students had untreated dental caries, a drop from 23 percent in 2000, and the State's achievement exceeded Federal goals by 12 percent. According to the assessment, 75 percent of the children surveyed had a regular dentist.

Another key player in our State's effort is the Baltimore Oral Health Impact Project, which provides care to children in Baltimore's public schools. Since February 2010, its providers have seen more than 3,500 children and treated more than 1,500 for dental disease. The program places a high value on delivering comprehensive and compassionate oral health care.

This organization has also launched the Baltimore Oral Health Academy, offering scholarships to students who choose to pursue careers as a clinical dental professional including dental assistants and hygienists, and who agree to serve in a public health setting.

Nationally, HRSA's National Health Service Corps addresses the nationwide shortage of primary care oral health

providers in dental health professional shortage areas—HPSA—by offering incentives in the form of scholarships and loan repayments to primary care dentists and registered dental hygienists to practice in underserved communities. The Corps has awarded more than 1,100 new loan repayment awards to dentists and nearly 300 new loan repayment awards to registered dental hygienists. But this is not nearly enough to erase the shortages. The NHSC has also implemented a part-time service program for providers who did not wish to make a full-time commitment, and I am hopeful that this new option will increase participation in the coming years.

Our Nation has made significant progress in improving children's dental health in the 7 years since Deamonte died, but there is still much work to be done. The access problem in some communities has become so severe that many people are forced to seek treatment for tooth pain in the Nation's emergency rooms, increasing the overall cost of care and receiving uncoordinated care in the least cost-efficient setting. In fact, more people seek treatment in emergency rooms for tooth pain than they do for asthma.

I will continue to work to increase funding for grants to States and expand training opportunities for dentists. We do not have enough professionals who are trained and available to treat children and adults with dental problems, and it is our responsibility to fix that. We must improve public reimbursement to dental providers in offices and clinics so that no one who needs treatment will be turned away.

Soon, Congress will turn again to the Reauthorization of the CHIP program, and I will be once again fighting for the strongest possible language we can get to promote children's oral health. For my colleagues who may not be familiar with CHIP's track record on oral health, I would like to leave you with three facts:

First, tooth decay is the single most common chronic disease of childhood, and it is five times more common than asthma. The complications of dental disease, which we now know can be fatal, are completely and easily preventable if we give children the care they need. Second, because of Congress's passage of the 2009 Children's Health Insurance Program Reauthorization Act, in 2013, more than 8 million American children had comprehensive dental coverage through CHIP. Third, CHIP has kept comprehensive coverage affordable. Under CHIP, families cannot pay more than 5 percent of their annual income in out-of-pocket costs for their children's medical and dental care.

What we have been able to achieve for children is due to support in Congress and also to the efforts of the many nonprofit organizations, universities, and providers who are also working across the Nation to make sure

that we will never forget Deamonte and never forget our responsibility to improving oral health care for America's children.

On this sad anniversary, in Maryland and throughout the Nation there are signs of hope for the future of oral health care. I thank my colleagues for the role they have played in this process and look forward to working with them in the months to come to strengthen oral health care access for our Nation's children.

TRIBUTE TO ANTONIA FERRIER

Mr. HATCH. Mr. President, I wish to pay tribute to Antonia Ferrier on my staff. After 4 years of trying to keep this tough old bird in line, she'll be leaving my office in the coming days. She will most certainly be missed.

Antonia first came to Capitol Hill to work for the former distinguished majority leader and my good friend, Bill Frist from Tennessee. After that, she went on to serve on the staff of another one of our former colleagues, Olympia Snowe. Now, Maine is pretty different from Tennessee, but I'm sure it felt like a bit of a homecoming for Antonia, who is from Massachusetts. After more than 3 years with Senator Snowe, Antonia made her way across the Capitol Rotunda to work for Senator ROY BLUNT during his time as the House Republican Whip.

For a Senate purist like Antonia, one House Member probably felt like enough, but she then went on to serve JOHN BOEHNER during his time as the House Republican leader. Finally, we were able to woo her back on this side of the Capitol to come be a member of our team.

As I said, Antonia is a Senate purist. She understands the Senate's role in our system of government, she appreciates the personalities and complexities of those that are honored to serve here, and she knows how much the work we do here impacts the lives of Americans from Tennessee to Maine, and Ohio to Utah. And, given her experience, she understands the House very much as well.

I'll deeply miss having Antonia around, not only for her sage advice and counsel, but also for her wit and sense of humor, and her willingness for straight-talk. I think she would say that the hardest part of her job is protecting me from myself. That's a tough job for anyone. And, I have to say that she's been up to the task, even during those times when I've made it particularly difficult.

I want to thank Antonia for her service to me, to Utah, and to the Senate over these last several years. She has been an amazing asset, and I wish her all the best in her future endeavors.

REMEMBERING JOHN S. WILLIAMS

Mr. HATCH. Mr. President. I am grateful for the opportunity to pay tribute to a truly extraordinary public

servant, father, grandfather, and neighbor—Mr. John S. Williams. Sadly, John passed away this week leaving behind a legacy of dedication and service.

John worked for an unprecedented 27½ years as the executive director of the Five County Association of Governments, AOG; only the third person to serve in that position since the association's inception. This association was formed to address the needs and challenges facing the southwest region of Utah—Beaver, Garfield, Iron, Kane, and Washington Counties. As the director, John set a tone of hard work, commitment, and a belief in the greatness of southwest Utah. He was comfortable not only in the director's chair—but rolling up his sleeves and getting the hard work done.

He was a key figure in promoting economic development in southwest Utah, as well as the whole State. He helped formulate policy and address issues facing an increasingly expanding region including: infrastructure, public lands issues, population growth, and quality of life. The Five County AOG has a reputation throughout Utah as an association that makes a difference and helps forge the way, largely in part because of the strength of John's leadership for almost three decades.

While working with John on many occasions throughout my Senate service I have always found him as someone who deeply cared about those he served, and had ideas and solutions to address the challenges facing a very important region of Utah. The example he set will be felt for generations to come; and the five counties he served are better prepared for the future challenges and triumphs they will face in the coming years.

Elaine and I convey our deepest sympathies to John's wife Jamie, his five children, and many grandchildren. May our Heavenly Father bless them with peace and comfort at this time. The contributions and impact John made on his family, his community, and our State will be felt and appreciated for generations to come. Utah is a better State because of the service John rendered throughout his life and his strong advocacy of southwest Utah.

FREEDOM FOR BOB LEVINSON

Mr. NELSON. Mr. President, I rise today on the anniversary of Bob Levinson's disappearance from Kish Island off the coast of Iran.

March 9 will mark 7 excruciating years of waiting and wondering for Bob's family who have desperately sought assistance from the Governments of Iran and the United States in finding him and bringing him home.

Bob, a retired FBI agent, is now one of the longest held Americans in our Nation's history. Bob's safe return is his family's highest priority—as it must remain for the U.S. Government as well.

At the beginning of this year, this body unanimously passed a resolution

urging the Government of Iran to fulfill their promises of assistance in Bob's case. At a time when our governments are talking to one another after more than 30 years, I ask that they talk about locating Bob and bringing him home to Florida. This case transcends any differences between the United States and Iran.

I continue to believe our two countries share the same goal: as a humanitarian matter both governments can readily support bringing a father home to his children and grandchildren.

I have said as much to officials in the Iranian Government, and I rise today to reiterate this same message. I will also continue to call on the U.S. Government to raise Bob's case with Iranian officials at every opportunity and do all they can to end this ordeal.

Bob and his wife Christine have seven children and four grandchildren.

For their sake, after 7 heart-wrenching years, we must all redouble our efforts to bring Bob home.

AROOSTOOK COUNTY, MAINE

Ms. COLLINS. Mr. President, this year marks the 175th anniversary of the incorporation of Aroostook County, ME. As one who was born and raised in that wonderful place, I wish to celebrate its fascinating past, energetic present, and bright future.

If the story of Aroostook County could be summed up in one thought, it would be this: We are the largest county east of the Mississippi River, yet we are all neighbors. From the frontier to the front lines of innovation, the people of "The County," as it is known throughout Maine, have always worked hard and worked together.

The story of Aroostook County begins long before its incorporation in 1839. For thousands of years, it has been the home of the Micmac and Maliseet; the name Aroostook comes from the Native American word for "beautiful river."

French explorers, led by Samuel de Champlain, first visited the area in 1604. The settlements that followed laid the foundation for the vibrant Acadian culture that is so important in Maine, New Brunswick, Nova Scotia, and as far away as Louisiana. Under French, and later, English rule, Aroostook's rich natural resources drew hardy lumberjacks and trappers to the area.

For decades after the American Revolution, Maine's northernmost region was the site of a protracted and tense border dispute between our new Nation and British Canada. As negotiations, led by the great American statesman Daniel Webster, to end what is now called the Bloodless Aroostook War neared completion, families and entrepreneurs settled in the area, and Aroostook County was incorporated. Among those early settlers was my ancestor, Samuel W. Collins, who built a lumber mill in Caribou in 1844 that was the beginning of our fifth-generation family business still in operation today.

People were drawn to Aroostook County in search of liberty and opportunity, and they have always worked and sacrificed to extend those blessings to others. In the years before emancipation, Aroostook County was the last stop on the Underground Railroad that took slaves to freedom. The Friends Quaker Church in Fort Fairfield stands today as a powerful memorial to that time of courage and compassion. Civil War monuments in villages throughout Aroostook County stand in honor of the many heroes who gave their lives so that all could be free.

Throughout the 19th century, the people of Aroostook County connected their remote region to the world with their own hands. Town by town, they built roads and railroads with pick, shovel, and wheelbarrow. These transportation networks, combined with the region's rich soil, made Aroostook County an agricultural powerhouse. The potato industry remains an essential part of the Maine economy.

During World War II, Presque Isle and Houlton both had U.S. Army bases. Houlton had a prisoner-of-war camp for German soldiers. Presque Isle's base was used to launch P-38s, C-47s, and B-17s to the European theater. During the cold war, Loring Air Force Base in Limestone, due its proximity to Northern Europe, became a crucial forward post in America's defense.

The closure of Loring Air Force base in 1994 was a difficult challenge. But the people of Aroostook County responded with the qualities that wrote their history: strength, a strong work ethic, and determination. They are building a new economy with new jobs and opportunities. Back then, biathlon was little-known, yet today Aroostook County is a world-class center for winter sports and Olympic training and the home to an Olympian in the biathlon.

Aroostook's hospitals have become national models for expert and compassionate care in rural regions, particularly for our veterans. Educational institutions and industry have joined together to lead the way in the development of renewable energy sources. The closed bases in Houlton and Presque Isle, and Loring Air Force Base have evolved into hubs of commerce and industry.

Through the years, Aroostook County has gone by many names—the Crown of Maine, the Garden County, the Last Frontier of the East, and, of course, The County. A more recent addition is the motto of the University of Maine at Presque Isle—"North of Ordinary" is the perfect way to describe a place that is truly extraordinary.

ADDITIONAL STATEMENTS

TRIBUTE TO SHAUNA JEAN RINGEL

• Mr. CRAPO. Mr. President, I wish to recognize the outstanding work of

Shauna Jean Hill Ringel, who is retiring after 22 years of employment with Madison County, ID.

Shauna is a native of St. Anthony, ID. She moved to Rexburg with her husband, Brad, in 1970, and she raised three children, Ryan, Shelli and Tracy, in Rexburg. After the death of her husband in 1987, Shauna worked at Madison School District's Burton Elementary School as the school's secretary. She began working for Madison County in 1992, and she served as a clerk of district court, 7th Judicial District. She moved to the Madison County Clerk's office in 1996, and she worked both as deputy county clerk and as Madison County's elections clerk. In 2004, she joined the planning and zoning office. She has participated in emergency management training and helped develop emergency plans for Madison County.

The community and our State have been fortunate to have benefited from her devoted assistance that includes significant public service and volunteer work. She served as the co-chair of the Madison County Centennial Committee and coordinated a year of festivities recognizing the pioneer spirit of current and former residents of Madison County. She is also active in the local chapter of the American Red Cross through which she has assisted her friends and neighbors in Red Cross evacuation centers for flooding and wildfire emergencies. She assists families in the Upper Snake River Valley whose lives are disrupted by house fires. Shauna was also deployed to New Jersey to assist with the recovery after Hurricane Sandy, and she assisted with recovery efforts in Montana after devastating wildfires.

Shauna is viewed as someone who can be counted on to go the extra mile and put the team ahead of herself. She is respected for her steady, loyal and reliable efforts. Madison County Commissioner Kimber Ricks characterized Shauna as "a go to" team player. She's always been hard working and reliable; always counted on for good judgment and good nature; and always that sense of humor that helps so much in tough situations . . . Shauna will be missed, but never forgotten."

Thank you, Shauna, for your outstanding and dedicated service. I hope that retirement affords you more well-deserved time with your friends and family, including your children and three grandsons, and opportunities to do all the activities you love the most. I congratulate you on your retirement and wish you all the best.●

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER DECLARING A NATIONAL EMERGENCY WITH RESPECT TO THE UNUSUAL AND EXTRAORDINARY THREAT TO THE NATIONAL SECURITY AND FOREIGN POLICY OF THE UNITED STATES POSED BY THE SITUATION IN THE UKRAINE—PM 33

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the “order”) declaring a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the situation in Ukraine.

The order does not target the country of Ukraine, but rather is aimed at persons—including persons who have asserted governmental authority in the Crimean region without the authorization of the Government of Ukraine—who undermine democratic processes and institutions in Ukraine; threaten its peace, security, stability, sovereignty, and territorial integrity; and contribute to the misappropriation of its assets. The order blocks the property and interests in property and suspends entry into the United States of any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

- to be responsible for or complicit in, or to have engaged in, directly or indirectly, any of the following:

- actions or policies that undermine democratic processes or institutions in Ukraine;

- actions or policies that threaten the peace, security, stability, sovereignty, or territorial integrity of Ukraine; or

- misappropriation of state assets of Ukraine or of an economically significant entity in Ukraine;

- to have asserted governmental authority over any part or region of Ukraine without the authorization of the Government of Ukraine;

- to be a leader of an entity that has, or whose members have, engaged in any activity described above or of an entity whose property and interests in property are blocked pursuant to the order;

- to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any activity described above or any person whose property and interests in property are blocked pursuant to the order; or

- to be owned or controlled by, or to have acted or purported to act for or on

behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.
THE WHITE HOUSE, March 6, 2014.

MESSAGE FROM THE HOUSE

At 11:49 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 938. An act to strengthen the strategic alliance between the United States and Israel, and for other purposes.

H.R. 2126. An act to promote energy efficiency, and for other purposes.

H.R. 4118. An act to amend the Internal Revenue Code of 1986 to delay the implementation of the penalty for failure to comply with the individual health insurance mandate.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 938. An act to strengthen the strategic alliance between the United States and Israel, and for other purposes; to the Committee on Foreign Relations.

H.R. 2126. An act to promote energy efficiency, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3370. An act to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 4118. An act to amend the Internal Revenue Code of 1986 to delay the implementation of the penalty for failure to comply with the individual health insurance mandate.

S. 2097. A bill to provide for the extension of certain unemployment benefits, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 6, 2014, she had

presented to the President of the United States the following enrolled bill:

S. 23. An act to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-198. A resolution adopted by the Senate of the State of Michigan urging the Congress of the United States to adopt House Concurrent Resolution No. 50, regarding the National Railroad Monument in Durand, Michigan; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 88

Whereas, Railroads are an integral part of our nation's past, present, and future. The railroad industry played a vital role in building and developing the United States. This role should not be forgotten; and

Whereas, Durand, Michigan, is at the historic crossroads of three major railroads and is home to one of the largest surviving train stations in the United States. The existing statuary, structures, and historic railroad equipment at Diamond District Park in Durand make it an ideal location for a National Railroad Memorial; and

Whereas, Congressional House Concurrent Resolution No. 50 would designate a National Railroad Monument located in Diamond District Park in historic downtown Durand, Michigan, as the National Railroad Memorial. This recognition would help draw visitors from around the world to the educational programming and exhibits in Durand. It would help ensure that current and future generations do not forget the historical importance of the railroad industry to our nation: Now, therefore, be it

Resolved by the Senate, That we urge the Congress of the United States to adopt House Concurrent Resolution No. 50, regarding the National Railroad Monument in Durand; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-199. A joint resolution adopted by the General Assembly of the State of Colorado relative to the U.S.S. Pueblo; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION 14-1007

Whereas, The U.S.S. Pueblo was originally launched as a United States Army cargo ship in 1944 but was transferred to the United States Navy and renamed the U.S.S. Pueblo in 1966; and

Whereas, The U.S.S. Pueblo was named for the city of Pueblo, Colorado, and the county of Pueblo, Colorado, and was the third ship in the naval fleet to bear the name Pueblo; and

Whereas, After leaving Japan in early January 1968 on an intelligence mission, the U.S.S. Pueblo was attacked by the North Korean military on January 23, 1968; and

Whereas, According to United States Naval authorities and the crew of the U.S.S. Pueblo, the ship was in international waters at the time of the attack; and

Whereas, One crew member of the U.S.S. Pueblo was killed during the attack, and

eighty crew members and two civilian oceanographers were captured and held for eleven months by the North Korean government; and

Whereas, This year marks the forty-sixth anniversary of North Korea's attack on the U.S.S. Pueblo and her crew; and

Whereas, The U.S.S. Pueblo is still in commission in the United States Navy but continues to be held by the North Korean government and is currently a museum in Pyongyang, North Korea: Now, therefore, be it

Resolved by the House of Representatives of the Sixty-ninth General Assembly of the State of Colorado, the Senate concurring herein:

(1) That we, the members of the General Assembly, recognize the bravery and sacrifice of the crew of the U.S.S. Pueblo; and

(2) That we take pride in the fact that the U.S.S. Pueblo bears the name of a city and a county in Colorado, and, therefore, the citizens of Colorado should be aware of the incident that occurred with the U.S.S. Pueblo forty-six years ago; and

(3) That we continue the call for Kim Jong Un and the North Korean government to return the U.S.S. Pueblo to the people of the United States; and

(4) That we hereby designate January 23 each year as "U.S.S. Pueblo Day" as a day to remember and honor the brave crew of the U.S.S. Pueblo.

Be It Further Resolved, That copies of this Joint Resolution be sent to President Barack Obama, Governor John W. Hickenlooper, President Pro Tempore of the United States Senate Patrick Leahy, Speaker of the United States House of Representatives John Boehner, and the members of Colorado's Congressional delegation.

POM-200. A memorial adopted by the Legislature of the State of New Mexico requesting the New Mexico Congressional Delegation in Washington, D.C., to vote to support legislation that would remove the deadline for ratification of the Equal Rights Amendment; to the Committee on the Judiciary.

SENATE MEMORIAL NO. 2

Whereas, equal rights for women are not specifically included in the United States Constitution; and

Whereas, the rights of women in the United States to receive equal pay for equal work, be protected against domestic violence and have fair work-leave policies and access to the reproductive health care services of their choice, among others, are daily being questioned and restricted; and

Whereas, protection of women's rights at present is through a patchwork of existing laws, executive actions and judicial decisions that address individual cases of discrimination one by one as they arise; and

Whereas, each or all of these individual existing laws, executive actions and judicial decisions may be ignored, eroded or overturned; and

Whereas, an Amendment that would guarantee rights for women that are equal to those of men would provide a fundamental legal remedy against all cases of discrimination based on gender; and

Whereas, Resolutions to pass an Amendment to the United States Constitution that would guarantee equal rights for women and men have been introduced into Congress each year since 1923; and

Whereas, thirty-five of the thirty-eight states required for the Amendment to become part of the Constitution ratified the Equal Rights Amendment by the deadline of 1982; and

Whereas, the deadline for ratification is not in the binding text of the document itself and, in fact, was later extended by an-

other Congress for an additional three years, thus establishing the precedent that Congress has the power to do so; and

Whereas, in the One Hundred Twelfth Congress, Senate Joint Resolution 39, introduced by Senator Ben Cardin, and House Joint Resolution 47, introduced by Representative Tammy Baldwin, would remove the deadline for ratification of the Amendment so that an additional three States may ratify it; and

Whereas, New Mexicans feel justly proud that New Mexico was one of the first states in the union to ratify the Equal Rights Amendment in 1973, and it passed its own Equal Rights Amendment to the Constitution of New Mexico in 1972: Now, therefore, be it

Resolved by the Senate of the State of New Mexico, That it call upon the New Mexico Congressional Delegation in Washington, D.C., to vote in favor of Legislation that would remove the deadline for ratification of the Equal Rights Amendment so that efforts can proceed to get ratification by the necessary additional three states so that, finally, the guarantee of equal rights for women and men in the United States will become the Law of the Land; and be it further

Resolved, That copies of this memorial be transmitted to each member of the New Mexico Congressional Delegation and to the Chief Clerks of the House of Representatives and the Senate of the United States Congress.

POM-201. A resolution adopted by the Mayor and Board of Aldermen of Boonton, New Jersey, urging Congress to dedicate additional federal funds for highway maintenance and infrastructure improvements in New Jersey; to the Committee on Commerce, Science, and Transportation.

POM-202. A resolution adopted by the Commission of the City of Pompano Beach, Florida, supporting efforts to reduce gun violence and illegal firearms trafficking through more responsible gun sales and marketing practices; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 149. A bill to provide effective criminal prosecutions for certain identity thefts, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Robin S. Rosenbaum, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Mark G. Mastroianni, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Bruce Howe Hendricks, of South Carolina, to be United States District Judge for the District of South Carolina.

Leslie Ragon Caldwell, of New York, to be an Assistant Attorney General.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself, Ms. KLOBUCHAR, Mr. COATS, and Mr. BLUNT):

S. 2086. A bill to address current emergency shortages of propane and other home heating fuels and to provide greater flexibility and information for Governors to address such emergencies in the future; to the Committee on Commerce, Science, and Transportation.

By Mr. PRYOR (for himself, Mr. BROWN, Mrs. SHAHEEN, Mr. MERKLEY, Mr. FRANKEN, Mr. SCHATZ, Mr. UDALL of New Mexico, Ms. WARREN, Mrs. HAGAN, Mr. WHITEHOUSE, Ms. LANDRIEU, and Mr. BEGICH):

S. 2087. A bill to protect the Medicare program under title XVIII of the Social Security Act with respect to reconciliation involving changes to the Medicare program; to the Committee on the Budget.

By Mr. MARKEY:

S. 2088. A bill to amend the Natural Gas Act with respect to the exportation of natural gas, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself and Ms. WARREN):

S. 2089. A bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes; to the Committee on Finance.

By Mr. WHITEHOUSE:

S. 2090. A bill to prohibit the export from the United States of certain electronic waste, and for other purposes; to the Committee on Environment and Public Works.

By Mr. HELLER (for himself, Mr. CASEY, Mr. MORAN, Mr. HEINRICH, Mr. VITTER, and Mr. TESTER):

S. 2091. A bill to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MARKEY:

S. 2092. A bill to provide certain protections from civil liability with respect to the emergency administration of opioid overdose drugs; to the Committee on the Judiciary.

By Mr. WALSH:

S. 2093. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to modify the purposes of authorized collection of business records and to prohibit the bulk collection of metadata, to require judicial review of national security letters, and for other purposes; to the Committee on the Judiciary.

By Mr. BEGICH (for himself, Mr. RUBIO, Ms. AYOTTE, Mr. BLUNT, Mr. BOOZMAN, Mr. CASEY, Mr. COCHRAN, Ms. COLLINS, Ms. HIRONO, Ms. LANDRIEU, Mrs. MCCASKILL, Mr. MARKEY, Ms. MURKOWSKI, Mr. NELSON, Mr. PRYOR, Mr. ROCKEFELLER, Mr. SCHATZ, Mr. THUNE, Mr. TOOMEY, Mr. VITTER, Ms. WARREN, and Mr. WICKER):

S. 2094. A bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel; to the Committee on Commerce, Science, and Transportation.

By Mr. MORAN (for himself, Ms. COLLINS, and Mr. KING):

S. 2095. A bill to reauthorize and modify the pilot program of the Department of Veterans Affairs under which the Secretary of Veterans Affairs provides health services to veterans through qualifying non-Department

of Veterans Affairs health care providers, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BEGICH:

S. 2096. A bill to amend the Alaska Natural Gas Pipeline Act of 2004 to provide for the authorization of liquified natural gas terminals and related facilities necessary for the export of Alaska natural gas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELLER (for himself, Ms. COLLINS, Mr. PORTMAN, Ms. MURKOWSKI, Mr. COATS, Ms. AYOTTE, and Mr. KIRK):

S. 2097. A bill to provide for the extension of certain unemployment benefits, and for other purposes; read the first time.

By Mr. TESTER (for himself and Mr. WALSH):

S. 2098. A bill to ratify and approve certain payments to school districts serving Yellowstone National Park; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself, Mr. KIRK, Mrs. BOXER, Mr. CARDIN, Ms. MIKULSKI, Mrs. MURRAY, Mr. SCHATZ, Mr. UDALL of Colorado, Mrs. FEINSTEIN, and Mr. BEGICH):

S. Res. 376. A resolution supporting the goals of International Women's Day; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 37

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 37, a bill to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes.

S. 192

At the request of Mr. BARRASSO, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 315

At the request of Ms. KLOBUCHAR, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 370

At the request of Mr. COCHRAN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in

the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 607

At the request of Mr. LEAHY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 607, a bill to improve the provisions relating to the privacy of electronic communications.

S. 727

At the request of Mr. MORAN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 727, a bill to improve the examination of depository institutions, and for other purposes.

S. 813

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 836

At the request of Mr. BROWN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 836, a bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit and make permanent certain tax provisions under the American Recovery and Reinvestment Act of 2009.

S. 865

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 865, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 933

At the request of Mr. LEAHY, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 933, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2018.

S. 972

At the request of Mr. COBURN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 972, a bill to prohibit the Secretary of Health and Human Services replacing ICD-9 with ICD-10 in implementing the HIPAA code set standards.

S. 975

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 975, a bill to provide for the inclusion of court-appointed guardianship improvement and oversight activities under the Elder Justice Act of 2009.

S. 1114

At the request of Mr. BROWN, the name of the Senator from Connecticut

(Mr. MURPHY) was added as a cosponsor of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1318

At the request of Mr. SCHUMER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1318, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 1431

At the request of Mr. THUNE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1456

At the request of Ms. AYOTTE, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1456, a bill to award the Congressional Gold Medal to Shimon Peres.

S. 1507

At the request of Mr. MORAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1507, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

S. 1688

At the request of Mr. KIRK, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1688, a bill to award the Congressional Gold Medal to the members of the Office of Strategic Services (OSS), collectively, in recognition of their superior service and major contributions during World War II.

S. 1708

At the request of Mr. MERKLEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1708, a bill to amend title 23, United States Code, with respect to the establishment of performance measures for the highway safety improvement program, and for other purposes.

S. 1764

At the request of Ms. AYOTTE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1764, a bill to limit the retirement of A-10 aircraft.

S. 1799

At the request of Mr. COONS, the name of the Senator from Nebraska (Mr. JOHANNES) was added as a cosponsor of S. 1799, a bill to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 1828

At the request of Mr. DONNELLY, the name of the Senator from Mississippi

(Mr. WICKER) was added as a cosponsor of S. 1828, a bill to amend the Truth in Lending Act to modify the definitions of a mortgage originator and a high-cost mortgage.

S. 1920

At the request of Mr. ROBERTS, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1920, a bill to amend the Internal Revenue Code of 1986 to extend and modify the research and development credit to encourage innovation.

S. 1961

At the request of Mr. MANCHIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1961, a bill to protect surface water from contamination by chemical storage facilities, and for other purposes.

S. 1998

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 1998, a bill to amend the Adult Education and Family Literacy Act to reserve funds for American Indian, Alaska Native, Native Hawaiian, and Tribal College or University adult education and literacy.

S. 2085

At the request of Ms. KLOBUCHAR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2085, a bill to address shortages and interruptions in the availability of propane and other home heating fuels in the United States, and for other purposes.

S. RES. 370

At the request of Mr. COATS, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SESSIONS), the Senator from Texas (Mr. CRUZ), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Utah (Mr. HATCH), the Senator from Nebraska (Mr. JOHANNIS) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. Res. 370, a resolution supporting the territorial integrity of Ukraine and condemning Russian military aggression in Ukraine.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 376—SUPPORTING THE GOALS OF INTERNATIONAL WOMEN'S DAY

Mrs. SHAHEEN (for herself, Mr. KIRK, Mrs. BOXER, Mr. CARDIN, Ms. MIKULSKI, Mrs. MURRAY, Mr. SCHATZ, Mr. UDALL of Colorado, Mrs. FEINSTEIN, and Mr. BEGICH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 376

Whereas there are more than 3,500,000,000 women in the world today;

Whereas women around the world participate in the political, social, and economic life of their communities, play a critical role in providing and caring for their families, contribute substantially to the growth of

economies and the prevention of conflict, and, as both farmers and caregivers, play an important role in advancing food security for their communities;

Whereas the advancement of women around the world is a foreign policy priority for the United States;

Whereas on November 15, 2013, Secretary of State John Kerry stated: "Creating opportunities for women is not just the right thing to do. It's also a strategic necessity. Societies where women are safe, where women are empowered to exercise their rights and to move their communities forward—these societies are more prosperous and more stable—not occasionally, but always.";

Whereas on December 19, 2011, the Obama Administration launched the first United States National Action Plan on Women, Peace, and Security (referred to in this preamble as the "National Action Plan") that included a comprehensive set of national commitments to advance the active participation of women in decision making relating to matters of war and peace;

Whereas the National Action Plan states: "Deadly conflicts can be more effectively avoided, and peace can be best forged and sustained, when women become equal partners in all aspects of peace-building and conflict prevention, when their lives are protected, their experiences considered, and their voices heard.";

Whereas women remain underrepresented in conflict prevention and conflict resolution efforts, despite proven successes by women in conflict-affected regions in moderating violent extremism, countering terrorism, resolving disputes through non-violent mediation and negotiation, and stabilizing their societies by improving access to peace and security services, institutions, and decision-making venues;

Whereas the ability of women to realize their full potential is critical to the ability of a country to achieve strong and lasting economic growth and political and social stability;

Whereas according to the International Monetary Fund, "focusing on the needs and empowerment of women is one of the keys to human development";

Whereas according to the Global Gender Gap Report 2013 published by the World Economic Forum, "reducing gender inequality enhances productivity and economic growth";

Whereas according to the United Nations Educational, Scientific and Cultural Organization, two-thirds of the 774,000,000 illiterate people in the world are female;

Whereas according to the United States Agency for International Development, "educated women are less likely to marry early and more likely to have smaller and healthier families. They are also more likely to get a job and earn a higher wage.";

Whereas according to the United Nations Children Fund, "adolescent girls that attend school [are more likely to] delay marriage and childbearing, are less vulnerable to disease including HIV and AIDS, and [are more likely to] acquire information and skills that lead to increased earning power. Evidence shows that the return to a year of secondary education for girls correlates to a 25 percent increase in wages later in life.";

Whereas according to the Food and Agriculture Organization of the United Nations, the majority of women living in rural areas of the developing world are heavily engaged in agricultural labor, yet they receive less credit, land, agricultural inputs, and training than their male counterparts;

Whereas according to the World Bank, women own or partly own over one-third of small and medium-sized enterprises in developing countries, and 40 percent of the global

workforce is female, yet, women entrepreneurs and employers have disproportionately less access to capital and other financial services;

Whereas despite strides in recent decades, women around the world continue to face significant obstacles in all aspects of their lives, including underrepresentation in all aspects of public life, denial of basic human rights, and discrimination;

Whereas despite achievements by individual female leaders, women around the world are still vastly underrepresented in high-level positions and in national and local legislatures and governments and, according to the Inter-Parliamentary Union, women account for only 21.4 percent of national parliamentarians;

Whereas 1 in 3 women around the world has experienced some form of gender-based violence, and 1 in 4 women has suffered abuse during pregnancy;

Whereas according to UN Women, violence against women causes more death and disability for women and girls between the ages of 15 and 44 than cancer, war, traffic accidents, and malaria combined;

Whereas on August 10, 2012, President Obama announced the first interagency Strategy to Prevent and Respond to Gender-Based Violence Globally;

Whereas violence against women and girls impedes progress in meeting many international global development goals, including efforts to stem maternal mortality and the spread of HIV/AIDS;

Whereas on October 11, 2013, President Obama stated that the practice of child marriage was a "threat to fundamental human rights";

Whereas according to the International Center for Research on Women, one-third of girls worldwide are married before the age of 18 and 1 in 9 girls are married before the age of 15;

Whereas according to Save the Children, pregnancy-related complications are a leading cause of death among girls between the ages of 15 and 19 in developing countries;

Whereas according to the United Nations Population Fund, women have access to fewer income-earning opportunities and tend to manage the household and partake in agricultural work, thus increasing their vulnerability to natural disasters and long-term changes in weather patterns;

Whereas it is imperative to alleviate violence and discrimination against women and afford women every opportunity to be full and productive members of their communities; and

Whereas March 8 is recognized each year as International Women's Day, a global day to celebrate the economic, political, and social achievements of women past, present, and future, and a day to recognize the obstacles that women still face in the struggle for equal rights and opportunities: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of International Women's Day;

(2) recognizes that the empowerment of women is inextricably linked to the potential of countries to generate economic growth, sustainable democracy, and inclusive security;

(3) recognizes and honors the women in the United States and around the world who have worked throughout history to ensure that women are guaranteed equality and basic human rights;

(4) reaffirms the commitment to ending discrimination and violence against women and girls, to ensuring the safety and welfare of women and girls, to pursuing policies that guarantee the basic human rights of women

and girls worldwide, and to promoting meaningful and significant participation of women in all aspects of their societies and communities; and

(5) encourages the people of the United States to observe International Women's Day with appropriate programs and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2805. Mrs. FISCHER (for herself, Mr. KING, and Mr. RUBIO) submitted an amendment intended to be proposed by her to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table.

SA 2806. Ms. HIRONO (for herself and Mr. HELLER) proposed an amendment to the bill S. 1821, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of Typhoon Haiyan in the Philippines.

TEXT OF AMENDMENTS

SA 2805. Mrs. FISCHER (for herself, Mr. KING, and Mr. RUBIO) submitted an amendment intended to be proposed by her to the bill S. 1086, to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. —. PREVENTING REGULATORY OVER-REACH TO ENHANCE CARE TECHNOLOGY.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds as follows:

(A) The mobile health and mobile application economy was created in the United States and is now being exported globally, with the market expected to exceed \$26,000,000,000 by 2017.

(B) The United States mobile application economy is responsible for nearly 500,000 new jobs in the United States.

(C) Consumer health information technologies, including smart phones and tablets, have the potential to transform health care delivery through reduced systemic costs, improved patient safety, and better clinical outcomes.

(D) Clinical and health software innovation cycles evolve and move faster than the existing regulatory approval processes.

(E) Consumers and innovators need a new risk-based framework for the oversight of clinical and health software that improves on the framework of the Food and Drug Administration.

(F) A working group convened jointly by the Food and Drug Administration, the Federal Communications Commission, and the Office of the National Coordinator for Health Information Technology identified in a report that there are several major barriers to the effective regulation of health information technology that cannot be alleviated without changes to existing law.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the President and Congress must intervene to facilitate interagency coordination across regulators that focuses agency efforts on fostering health information technology and mobile health innovation while better protecting patient safety, improving health care, and creating jobs in the United States;

(B) the President and the Congress should work together to develop and enact legisla-

tion that establishes a risk-based regulatory framework for such clinical software and health software that reduces regulatory burdens, fosters innovation, and, most importantly, improves patient safety;

(C) The National Institute of Standards and Technology should be the Federal agency that has oversight over technical standards used by clinical software; and

(D) The National Institute of Standards and Technology, in collaboration with the Federal Communications Commission, the National Patient Safety Foundation, and the Office of the National Coordinator for Health Information Technology, should work on next steps, beyond current oversight efforts, regarding health information technology, such as collaborating with nongovernmental entities to develop certification processes and to promote best practice standards.

(b) CLINICAL SOFTWARE AND HEALTH SOFTWARE.—

(1) DEFINITIONS.—Section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) is amended by adding at the end the following:

“(ss)(1) The term ‘clinical software’ means clinical decision support software or other software (including any associated hardware and process dependencies) intended for human or animal use that—

“(A) captures, analyzes, changes, or presents patient or population clinical data or information and may recommend courses of clinical action, but does not directly change the structure or any function of the body of man or other animals; and

“(B) is intended to be marketed for use only by a health care provider in a health care setting.

“(2) The term ‘health software’ means software (including any associated hardware and process dependencies) that is not clinical software and—

“(A) that captures, analyzes, changes, or presents patient or population clinical data or information;

“(B) that supports administrative or operational aspects of health care and is not used in the direct delivery of patient care; or

“(C) whose primary purpose is to act as a platform for a secondary software, to run or act as a mechanism for connectivity, or to store data.

“(3) The terms ‘clinical software’ and ‘health software’ do not include software—

“(A) that is intended to interpret patient-specific device data and directly diagnose a patient or user without the intervention of a health care provider;

“(B) that conducts analysis of radiological or imaging data in order to provide patient-specific diagnostic and treatment advice to a health care provider;

“(C) whose primary purpose is integral to the function of a drug or device; or

“(D) that is a component of a device.”.

(2) PROHIBITION.—Subchapter A of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by adding at the end the following:

“SEC. 524B. CLINICAL SOFTWARE AND HEALTH SOFTWARE.

“Clinical software and health software shall not be subject to regulation under this Act.”.

(c) EXCLUSION FROM DEFINITION OF DEVICE.—Section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)) is amended by adding at the end “The term ‘device’ does not include clinical software or health software.”.

SA 2806. Ms. HIRONO (for herself and Mr. HELLER) proposed an amendment to the bill S. 1821, to accelerate the income tax benefits for charitable cash

contributions for the relief of victims of Typhoon Haiyan in the Philippines; as follows:

On page 2, lines 7 and 8, strike “January 1, 2014, and before March 1, 2014,” and inserting “the date of the enactment of this Act, and before April 15, 2014.”.

On page 2, beginning at line 23, strike all through line 25.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, March 13, 2014, in room SD-628 of the Dirksen Senate Office Building, at 10 a.m., to conduct an oversight hearing to receive testimony on “Tribal Transportation: Pathways to Infrastructure and Economic Development in Indian Country.”

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on March 6, 2014, at 10 a.m. in room SR-328A of the Russell Senate Office.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 6, 2014, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 6, 2014, at 10 a.m. to conduct a hearing entitled “Map-21 Reauthorization: The Federal Role and Current Challenges to Public Transportation.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 6, 2014, at 10:30 a.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, “Enhancing Our Rail Safety: Current Challenges for Passenger and Freight Rail.”

THE PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on

Environment and Public Works be authorized to meet during the session of the Senate on March 6, 2014, at 10 a.m., in room SD-406 of the Dirksen Senate office building, to conduct a hearing entitled, "Preventing Potential Chemical Threats and Improving Safety: Oversight of the President's Executive Order on Improving Chemical Facility Safety and Security."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 6, 2014, at 11 a.m., to hold a hearing entitled "Syria Spillover: The Growing Threat of Terrorism and Secularism in the Middle East."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 6, 2014, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 6, 2014, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 6, 2014, at 9:30 a.m., in room 345 of the Cannon House Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 6, 2014, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Financial and Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 6, 2014, at 9:30 a.m. to conduct a hearing entitled, "Oversight of Contractor Performance Information."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that MAJ Mat-

thew Altman, a military fellow in my office, be given floor privileges for the remainder of the 113th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by me, with the concurrence of Senator McCONNELL, the Senate proceed to executive session to consider the following nomination: Calendar No. 512; there be 20 minutes of debate equally divided in the usual form; that upon the use or yielding back of the time the Senate proceed to vote, without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

PHILIPPINES CHARITABLE GIVING ASSISTANCE ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate Finance Committee be discharged from further consideration of S. 1821 and the Senate proceed to its immediate consideration; that a Hirono-Heller amendment, which is at the desk, be agreed to; that the bill, as amended, be read a third time and passed; further, that upon passage the bill be held at the desk and that if the Senate receives a bill from the House, the text of which is identical to S. 1821, as passed by the Senate, the Senate proceed to its immediate consideration, the bill be read three times and passed, without any intervening action or debate; finally, the Senate bill be indefinitely postponed and all motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2806) was agreed to, as follows:

(Purpose: To change the dates during which contributions may be made to be treated as made in 2013, and for other purposes)

On page 2, lines 7 and 8, strike "January 1, 2014, and before March 1, 2014," and inserting "the date of the enactment of this Act, and before April 15, 2014,".

On page 2, beginning at line 23, strike all through line 25.

SEC. 2. ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF TYPHOON HAIYAN IN THE PHILIPPINES.

(a) IN GENERAL.—For purposes of section 170 of the Internal Revenue Code of 1986, a taxpayer may treat any contribution described in subsection (b) made after the date of enactment of this Act, and before April 15, 2014, as if such contribution was made on December 31, 2013, and not in 2014.

(b) CONTRIBUTION DESCRIBED.—A contribution is described in this subsection if such contribution is a cash contribution made for the relief of victims in areas affected by Typhoon Haiyan, for which a charitable contribution deduction is allowable under section 170 of the Internal Revenue Code of 1986.

(c) RECORDKEEPING.—In the case of a contribution described in subsection (b), a telephone bill showing the name of the donee organization, the date of the contribution, and the amount of the contribution shall be treated as meeting the recordkeeping requirements of section 170(f)(17) of the Internal Revenue Code of 1986.

The bill (S. 1821), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1821

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Philippines Charitable Giving Assistance Act".

SEC. 2. ACCELERATION OF INCOME TAX BENEFITS FOR CHARITABLE CASH CONTRIBUTIONS FOR RELIEF OF VICTIMS OF TYPHOON HAIYAN IN THE PHILIPPINES.

(a) IN GENERAL.—For purposes of section 170 of the Internal Revenue Code of 1986, a taxpayer may treat any contribution described in subsection (b) made after the date of the enactment of this Act, and before April 15, 2014, as if such contribution was made on December 31, 2013, and not in 2014.

(b) CONTRIBUTION DESCRIBED.—A contribution is described in this subsection if such contribution is a cash contribution made for the relief of victims in areas affected by Typhoon Haiyan, for which a charitable contribution deduction is allowable under section 170 of the Internal Revenue Code of 1986.

(c) RECORDKEEPING.—In the case of a contribution described in subsection (b), a telephone bill showing the name of the donee organization, the date of the contribution, and the amount of the contribution shall be treated as meeting the recordkeeping requirements of section 170(f)(17) of the Internal Revenue Code of 1986.

MEASURE PLACED ON THE CALENDAR—H.R. 3370

Mr. REID. Mr. President, I understand that H.R. 3370 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The bill clerk read as follows:

A bill (H.R. 3370) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

Mr. REID. I object to any further proceedings at this time.

The PRESIDING OFFICER. Objection is heard, and the bill will be placed on the calendar.

MEASURES READ THE FIRST TIME—H.R. 4118 AND S. 2097

Mr. REID. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The legislative clerk read as follows:

A bill (S. 2097) to provide for the extension of certain unemployment benefits, and for other purposes.

A bill (H.R. 4118) to amend the Internal Revenue Code of 1986 to delay the implementation of the penalty for failure to comply with the individual health insurance mandate.

Mr. REID. I ask for a second reading but object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 106-567, reappoints the following individual to serve as a member of the Public Interest Declassification Board: Sanford Ungar of Maryland.

ORDERS FOR MONDAY, MARCH 10, 2014

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m. on Monday, March 10, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be

approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; that at 5 p.m. the Senate proceed to executive session to consider the McHugh nomination and the time until 5:30 p.m. be equally divided and controlled in the usual form prior to the cloture vote on the McHugh nomination; further, that upon conclusion of the cloture vote and notwithstanding cloture having been invoked, if invoked, the Senate resume legislative session and vote on passage of S. 1917; and that if cloture is invoked on the McHugh nomination, the time during the vote on passage of S. 1917 count postcloture on the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, if I didn't note, we are going to be in session at 4 p.m. on Monday. If I could add an additional comment, there will be two roll-call votes on Monday starting at 5:30.

ADJOURNMENT UNTIL MONDAY, MARCH 10, 2014, AT 4 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask

unanimous consent that the Senate stand adjourned until 4 p.m. on Monday, March 10, 2014.

There being no objection, the Senate, at 6:14 p.m., adjourned until Monday, March 10, 2014, at 4 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 6, 2014:

DEPARTMENT OF COMMERCE

KATHRYN D. SULLIVAN, OF OHIO, TO BE UNDER SECRETARY OF COMMERCE FOR OCEANS AND ATMOSPHERE.

DEPARTMENT OF HOMELAND SECURITY

SUZANNE ELEANOR SPAULDING, OF VIRGINIA, TO BE UNDER SECRETARY, DEPARTMENT OF HOMELAND SECURITY.

JOHN ROTH, OF MICHIGAN, TO BE INSPECTOR GENERAL, DEPARTMENT OF HOMELAND SECURITY.

UNITED STATES INTERNATIONAL TRADE COMMISSION

RHONDA K. SCHMIDTLEIN, OF MISSOURI, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING DECEMBER 16, 2021.

DEPARTMENT OF STATE

MICHAEL A. HAMMER, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHILE.

ROSE EILENE GOTTEMOELLER, OF VIRGINIA, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY.

DEPARTMENT OF HOMELAND SECURITY

R. GIL KERLIKOWSKIE, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER OF CUSTOMS, DEPARTMENT OF HOMELAND SECURITY.